United Nations A/57/PV.71

General Assembly

Fifty-seventh session

Official Records

71st plenary meeting
Tuesday, 10 December 2002, 10 a.m.
New York

President: Mr. Kavan ..... (Czech Republic)

In the absence of the President, Mr. Mamba (Swaziland), Vice-President, took the Chair.

The meeting was called to order at 10.10 a.m.

Agenda item 25 ***(continued)***

Oceans and the law of the sea

Report on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea at its third meeting (A/57/80)

(a) Oceans and the law of the sea

Report of the Secretary-General (A/57/57 and Add.1)

Draft resolution (A/57/L.48)

(b) Large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas/illegal, unreported and unregulated fishing, fisheries by-catch and discards, and other developments

Report of the Secretary-General (A/57/459)

Draft resolution (A/57/L.49)

(c) Agreement for the implementation of the Provisions of the United Nations Convention on the Law of Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

Draft resolution (A/57/L.50)

The Acting President: The report on the work of the United Nations Open-ended Informal Consultative Process established by the General Assembly in its resolution 54/33 in order to facilitate the annual review by the Assembly of developments in ocean affairs at its third meeting has been circulated in document A/57/80.

I give the floor to the representative of Brazil to introduce draft resolution A/57/L.48.

Mr. de Moura (Brazil): I have the honour to introduce, under agenda item 25 (a), draft resolution A/57/L.48, entitled "Oceans and the law of the sea". I should like to announce that, since the publication of the draft, the following countries have become sponsors: Cyprus, Madagascar, Monaco, Namibia, Poland, Saint Lucia, Saint Vincent and the Grenadines, Senegal, Sierra Leone, Sri Lanka, United States of America and Uruguay.

The representative of the United States will introduce the other draft resolutions submitted under the same item.

I would like to express my delegation's appreciation to all those who actively contributed to

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our negotiations and in particular to Mr. Julian Vassallo of Malta for acting as co-facilitator of the informal consultations. I would like also to thank Mrs. Annick de Marffy and her staff at the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs for their highly professional assistance.

I would like to begin my introduction of the draft resolution by calling delegations' attention to one practical matter: the second preambular paragraph should be deleted.

The draft resolution and the debate today on the Secretary-General's report highlight the General Assembly's commitment to issues relating to oceans and the law of the sea. As set out in the preambular part of the draft and echoed in the outcome of the World Summit on Sustainable Development, there is an ever-increasing awareness of the importance of the oceans and seas for the earth's ecosystem. They play a crucial role in providing global food security, sustaining economic prosperity and ensuring the well-being of present and future generations. The draft recognizes the interrelatedness of all ocean issues and the need to address all aspects of the question in an integrated manner and therefore endorses the decision taken at Johannesburg to set up by 2004 a process for global reporting and assessment of the marine environment.

The draft touches on a number of problems of immediate importance, such as illegal, unregulated and unreported fishing; the degradation of the marine environment both from land-based sources and pollution from ships; and crimes at sea. It emphasizes the need for capacity-building and for the effective application of marine scientific knowledge and technology in dealing effectively with these problems.

The draft takes note of significant new developments towards the full establishment of the institutional framework foreseen by the Convention in setting up a system of global ocean governance. The most recent milestone was the entry into force last year of the 1995 Fish Stocks Agreement. The goal set at Johannesburg to put into effect the International Plan of Action for the Management of Fishing Capacity by 2005 is a welcome sign of the widespread support for immediate measures in this area. This and related fisheries issues are taken up in the two other resolutions before us today.

The omnibus draft resolution also welcomes a series of "firsts" that attest to the progressive consolidation of the legal regime envisaged in the Convention. In the case of the International Seabed Authority, the first examination by the Council of annual reports on prospecting and exploration for polymetallic nodules in the Area opens a vast new frontier for the regulated and rational use of valuable resources in a manner consistent with the equitable development of humankind's common heritage.

The presentation by the Russian Federation of the first submission regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles paves the way for coastal States to exploit productively these resources and for the wider international community to share in the orderly development of the ocean's bounty.

Another first is the review of the Open-ended Informal Consultative Process on Oceans and the Law of the Sea, which has just completed its first three-year cycle.

Drawing on the recommendations of this year's meeting, the draft resolution addresses two areas in particular. On the one hand, it underlines the importance of greater coordination among States to ensure the effective implementation of measures for the protection and preservation of the marine environment. The conclusions of the discussions last April helped ensure that ocean affairs figured prominently in the Johannesburg Plan of Implementation.

On the other hand, the draft also highlights the growing understanding of the need to focus on the cross-cutting issues at the centre of any effective and comprehensive policy. It recalls the crucial role of capacity-building, regional cooperation and integrated ocean management in achieving the wider goals set out in the Convention. Determining how regional cooperation and inter-agency coordination can enhance these linkages in a manner consistent with the objectives of the Convention is the fundamental purpose of the consultative process.

The draft resolution also covers a wide array of issues directly relevant to ocean affairs. It also recalls the important work of the International Tribunal for the Law of the Sea in promoting the rule of law. On maritime safety and security, emphasis is placed on adopting a common approach to enforcement, investigation and prevention. On the degradation of the

marine environment, the need for full implementation of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities is recalled.

The draft resolution is the result of a largely consensual negotiating process that reflects broad-based acceptance of the Convention's role in promoting the rule of law, a contribution that goes beyond the confines of ocean affairs. In this spirit of understanding, I hope that the draft resolution can be adopted by consensus.

I should like now to make a few remarks on behalf of my own country. Brazil's views will be largely reflected in the statement to be delivered by Costa Rica, on behalf of the Rio Group. I would like, however, to refer to certain key issues.

The entry into force of the Convention eight years ago was a landmark of collective action. Yet the promise of the Convention and the effective implementation and regulation of the international legal framework to which it gave rise remains to be fully fulfilled. The uncontrolled and unsustainable exploitation of the oceans, including growing levels of overfishing, has led to the loss of biodiversity, territorial conflicts and the degradation of living marine resources.

Clearly there is growing understanding that problems of the oceans and the seas are interrelated and require a holistic approach. We therefore look forward to continued progress in generating a modern legal framework for regulating their use. In the case of fisheries, we welcome the entry into force of the 1995 Fish Stocks Agreement and its role, which is complementary to that of the Plan of Action of the Food and Agriculture Organization of the United Nations.

We believe that the consultative process, under the able leadership of the coordinators, has helped focus attention on the need for greater coordination. At the very least, it has brought together specialists and given greater visibility to issues requiring joint action.

The choice of areas of focus for next year's consultative process reflects the changing nature of our debate. Emphasis has moved to tackling more specific and concrete questions of immediate concern to all in an integrated manner. Hence, the theme of safety of navigation is complementary to that of the protection of the vulnerable marine environment. Brazil is pleased to see capacity-building figure prominently, in this case in the matter of the preparation of nautical charts. Capacity-building and the transfer of up-to-date technological resources not only are crucial for the safety of navigation, but provide the impetus for the indigenous development of marine science and technology and the establishment of comprehensive national programmes. It is essential that existing regional and global mechanisms be put into action in fostering international cooperation. Only thus will many countries, in particular developing countries, acquire the means to promote the sustainable exploitation of their marine resources.

Brazil's commitment to capacity-building is underscored by the five-day regional training course it hosted earlier this year in Rio de Janeiro on the delineation of the outer limits of the continental shelf beyond 200 nautical miles. It was developed as a result of the practical and technical experience acquired in preparing our own submission, which we hope to present to the Commission in the near future. As a result of the encouraging response to this year's course, Brazil is considering the possibility of hosting a second training course.

With regard to non-living marine resources, Brazil values the work of the International Seabed Authority. The recent issuance of contracts for prospecting and exploring for polymetallic nodules opens a new chapter in the sustainable development of ocean resources. We particularly appreciate the work done by the Legal and Technical Commission of the Authority in setting up the necessary environmental guidelines for future activities in the field of polymetallic sulphides and cobalt-rich crusts in the Area.

Today's debate is taking place at a very special moment. We are uniquely privileged to be undertaking our discussions against the backdrop of yesterday's commemorations of the twentieth anniversary of the opening for signature of the Convention. In the company of some of the illustrious founding fathers of the Convention, we were afforded a review of its historic accomplishments and a preview of the many challenges before us as we consider the next 20 years. The event provided a perspective on the past and encouragement for the future. Above all, it provided us with an opportunity to rededicate our countries and the

international community as a whole to the task and vision we set ourselves two decades ago.

The Acting President: I now give the floor to the United States of America to introduce draft resolutions A/57/L.49 and A/57/L.50.

Ms. West (United States of America): My delegation has the honour to sponsor the resolution entitled "Oceans and the law of the sea" that has just been introduced by Brazil. We also have the honour to introduce, on behalf of the sponsors, draft resolution A/57/L.49, concerning a number of fisheries issues, and draft resolution A/57/L.50, concerning the United Nations Fish Stocks Agreement. I am pleased to inform the Assembly that there are some additional sponsors of those fisheries draft resolutions. With regard to both draft resolutions, additional sponsors are Malta, Monaco, Saint Lucia, Saint Vincent and the Grenadines, Senegal and Sierra Leone. Uruguay is an additional sponsor of draft resolution A/57/L.50.

We commend those two draft resolutions for adoption by consensus. We see the draft resolutions before us today as a thoughtful and balanced assemblage of current oceans issues, drawn from the priorities and interests of Member States. The draft resolutions are not all-inclusive, but they represent consensus on ways to tackle many of the challenges we face in making the oceans safe and healthy environments for sustainable development.

The United States would like to express gratitude to all of the delegations that reviewed texts and concepts, offered suggestions and worked in a spirit of cooperation. We especially appreciate the assistance provided by other delegations to Colin McIff, the United States representative who coordinated negotiations on the two fisheries draft resolutions. We would also like to thank Marcel Biato of Brazil and Julian Vassallo of Malta for their skilful leadership of the discussions on draft resolution A/57/L.48, on oceans and the law of the sea. In addition, we acknowledge the Secretariat's Division for Ocean Affairs and the Law of the Sea for its dedicated work and support throughout the year. Along with New Zealand's Ambassador Don MacKay and his high-level committee, the Division organized yesterday's splendid events commemorating the twentieth anniversary of the opening for signature of the 1982 United Nations Convention on the Law of the Sea (UNCLOS).

The United States believes that ratifying and carrying out international fisheries management agreements is an important tool for protecting international fish stocks, promoting the sustainable use of living marine resources and providing food security. We are pleased that the importance of implementation and the means to build capacity for better management are emphasized in both of the draft resolutions on fisheries before us today.

A year ago, the Agreement for the Implementation of the Provisions of the Convention relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks (United Nations Fish Stocks Agreement) — a real milestone for international fisheries management and for the implementation of UNCLOS — entered into force. The United States believes that the Fish Stocks Agreement is a significant adjunct to UNCLOS. We urge all States to become parties to the Fish Stocks Agreement as well as to the Food and Agriculture Organization of the United Nations Agreement on High-Seas Fishing Vessel Compliance. We look forward to participating in the second informal consultation among States parties to the Fish Stocks Agreement. We are also pleased that next year, we can look forward to a single draft resolution on fisheries — a format that, we believe, will reflect and facilitate a more unified approach to fisheries issues at the United Nations.

This year included another international milestone: the successful World Summit on Sustainable Development. The Plan of Implementation agreed at the Summit is ambitious in its breadth of topics and its scope of activities. The United States welcomes the steps taken in the two draft resolutions on fisheries and the draft resolution on oceans that begin implementation of the Summit Plan.

The Plan calls on the world community to establish, by 2004, a regular United Nations process for global reporting and assessment of the state of the marine environment based on existing regional assessments. The draft resolution on oceans responds by taking the first step: requesting the Secretary-General — in close consultation with Member States and the relevant United Nations programmes and agencies — to present an implementing proposal to the next session of the General Assembly. The United States looks forward to consulting with the Secretariat on issues such as how to make the best use of the

existing expertise of the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection, the most appropriate role for the Intergovernmental Oceanographic Commission and the convening of an intergovernmental meeting.

The Plan of Implementation calls on the world community to elaborate regional programmes of action and to improve links with strategic plans for the sustainable development of coastal and marine resources. The draft resolution on oceans similarly calls upon States to develop national, regional and international programmes aimed at halting the loss of marine biodiversity. The United States welcomes this emphasis on integrated, regional approaches to oceans issues.

In that context, we would like to bring to this body's attention the White Water to Blue Water oceans partnership initiative currently being planned for the Caribbean. White Water to Blue Water aims for an integrated approach to the management of freshwater watersheds and marine ecosystems. Its focus will be practical and results-driven. The initiative will strive to improve cooperation and capacity at the national and regional levels and to promote public-private partnerships between and among Governments, international organizations, non-governmental organizations and the private sector. White Water to Blue Water begins in the wider Caribbean region in 2003. We hope it might serve as a successful model for similar efforts in other regions of the world.

The draft resolution on oceans before us today continues the practice of informal United Nations consultations on oceans issues. We welcome that decision, look forward to future discussions and expect our collective experiences and ideas to continue to strengthen this body's understanding and consideration of critical oceans issues. As we explore topics that may not have been foreseen 20 years ago, we expect to be able to find solutions within the applicable juridical framework.

The United States also looks forward to collective efforts to establish an inter-agency coordination mechanism on oceans and coastal issues within the United Nations system. We support the goals that have been articulated for that mechanism — among others, transparency, effectiveness, responsiveness, inclusiveness, clarity of mandate, cooperativeness and liaison with regional organizations — and we realize that achieving those goals will require continued effort over time.

Before closing, it seems appropriate to refer to the many important areas currently addressed by the International Maritime Organization (IMO). With regard to matters ranging from ballast water and other threats to the marine environment to the suppression of unlawful acts against navigation to countering the threat of terrorism, the IMO is steadily facilitating global understandings and guidelines. The United States fully endorses the calls in the draft resolution on oceans to support various aspects of the work of the IMO.

Yesterday we had the good fortune to celebrate the twentieth anniversary of the completion of UNCLOS. As we conclude our deliberations on this year's draft resolutions on oceans and fisheries, we might ask ourselves what achievements we want to celebrate in the year 2022. Will we be able to bequeath to our children seas that are alive with fish? Will we better understand the impact of our oceans on the Earth's climate? Will we have in place national, regional and global practices that minimize the impacts of waste and pollutants on global oceans? Will we have achieved a fair and consistent balance among the multiple uses that we ask of our global seas?

It is a cliché to say that oceans issues are inherently global issues. Nonetheless, that basic tenet remains sound, and the Organization — this body — is one of the forums where we can work together on behalf of our oceans. The three draft resolutions before us today, which set out joint goals that we all can support and implement, are steps in the right direction.

Mr. Maniang (Sudan) (*spoke in Arabic*): It is my pleasure, on behalf of my country's delegation, to hail the twentieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea (UNCLOS). Yesterday's commemoration was an historic and grand occasion to emphasize the international aspect of this Convention, which bolsters the concepts that make our oceans and seas a common heritage. I take this opportunity to convey thanks and pay tribute to the Division for Ocean Affairs and the Law of the Sea, as well as the University of Virginia, all of which participated in this commemoration.

The international community, 20 years after the adoption of this Convention, is pinning great hopes on strengthening cooperation and solidarity in order to

create a safe maritime environment. This concept must be based on developing both natural and maritime resources, and putting an end to the degradation affecting the maritime environment. We must also protect ecologically and biologically sensitive areas, including marine areas and aquatic species. The need to develop human resources means that we must pass legislation to resolve the highly complex issues of oceans, in order to make rational use of the biological and biotic resources of the oceans in conformity with the rule of the law.

In spite of the growing number of signatories to the United Nations Convention on the Law of the Sea (UNCLOS), there is still a pressing need to make better use of various forums in order to encourage the participation of all in an effort to protect, preserve and manage the marine environment and resources and to implement norms and international standards as a practical way of establishing oversight and assessment mechanisms. In this regard, we must implement national capacity building to promote regional concepts and integrate regional management of oceans.

The Sudan would like to pay tribute to the Government of Norway for its generous support of the trust fund that was established for the Commission on the Limits of the Continental Shelf, in order to help developing countries, in particular the less developed countries and the small island countries, to prepare their data for submission to the Commission under article 76 of the United Nations Convention on the Law of the Sea (UNCLOS).

My country expressed during meetings of concerned parties its total support for the Commission's technical cooperation for the least developed countries to enable them to benefit from scientific research on natural resources and the marine environment and strengthen their economies and the standard of living of their people.

We must implement the provisions of the September 2002 resolution adopted by the World Summit on Sustainable Development (WSSD) in Johannesburg that focused on the importance of oceans and seas as fundamental components of the biosphere and as a means of promoting sustainable food security, particularly in the developing countries. The WSSD also focused on the need to cooperate and coordinate efforts with the Division for Ocean Affairs and the Law of the Sea. The WSSD also addressed the need to establish a transparent and effective mechanism for coordinating, on an inter-agency basis, issues related to oceans and coastal areas.

Such coordination, as well as the implementation of resolutions that strengthen international cooperation, will help strengthen the least developed countries, so they can benefit from international cooperation as a whole. These countries will also be able to participate in international scientific forums, in particular those relating to issues of marine technology.

Finally, we call on all donor nations and international financial institutions to continue to strengthen their programmes and technical assistance activities and to build the capacities of the least developed countries with regard to environmental protection, management of fisheries and sea stocks, sea security, marine security and the territorial waters. These are questions that require expertise at various levels.

Mr. Hasmy (Malaysia): Malaysia wishes to express its gratitude to the Secretary-General for his comprehensive report on oceans and the law of the sea, as contained in documents A/57/57 and Add.1. Malaysia is pleased to participate in the debate on this item, which marks the twentieth anniversary of the opening for signature of the 1982 United Nations Convention on the Law of the Sea (UNCLOS).

Malaysia participated actively in the Third United Nations Conference on the Law of the Sea from 1973 to 1982. As a maritime nation and a coastal State on one of the busiest straits in the world, the Straits of Malacca, Malaysia takes particular interest in the legal regime governing oceans and seas. The UNCLOS is a document without precedence in history. Born of a marriage, or compromise, between prophecy and retrospection, this Convention has been rightly called a constitution for the oceans. Looking at it as a compromise will reveal its weaknesses, but looking at it as a marriage will give rise to encouragement and hope for the future.

The Convention introduced a number of highly innovative concepts and principles. Malaysia wishes to pay tribute to the originator of some of these principles, the late Ambassador Arvid Pardo, dubbed as the father of the new law of the sea. In 1967, Pardo contributed two seminal ideas; first, that the resources of deep-sea mining constitute the common heritage of mankind, and secondly, that all aspects of ocean space

are interrelated and should be treated as an integral whole.

The Convention must be considered as a process rather than a product. It is a process that requires regular consideration and evaluation to address the changing needs of developments relating to ocean affairs and the law of the sea. The Meetings of States Parties to UNCLOS, which to date have primarily dealt with budgetary and administrative matters, have a significant role to play in this regard. My delegation also welcomes the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS), established by General Assembly resolution 54/33 to facilitate the annual review of developments in ocean affairs by the General Assembly in an effective and constructive manner, and which has already had three sessions.

We believe that UNICPOLOS complements the role of the Meeting of States Parties in dealing with questions arising out of the implementation of the Convention. The Meeting of States Parties would not be competent to deal with questions that overlap or conflict between the Convention and regimes established elsewhere. Only the General Assembly with its universal membership can do so. This is where UNICPOLOS fits in, in that it facilitates discussion and decision-making on the matters referred to in the Secretary-General's annual report. Nevertheless, Malaysia is of the view that the roles of the Meeting of States Parties and UNICPOLOS can be merged, once the membership of the Convention becomes as universal as the membership of the General Assembly.

My delegation welcomes the progress in the work of the three institutions established by the Convention, namely, the International Seabed Authority (ISBA), the Commission on the Limits of the Continental Shelf (CLCS) and the International Tribunal for the Law of the Sea (ITLOS).

The International Seabed Authority has been concentrating on matters concerning prospecting and exploration for manganese nodules. We call on the Authority to consider placing other newly discovered resources — such as sulphides, genetic resources and methane hydrates — under the scope of its activities.

With regard to the Commission on the Limits of the Continental Shelf, Malaysia understands that, as a temporary institution conceived by the Convention, the Commission will cease its activities when all maritime boundaries have been declared. However, we wish to propose that the Commission continue to exist, in view of unexpected developments such as the emergence of new States. Malaysia is currently in the process of undertaking extensive surveys and evaluations of its continental shelf areas in order to be able to submit to the Commission the delineation of its continental shelf area within the next few years.

With regard to the International Tribunal for the Law of the Sea, we are pleased to note that it has dealt with 11 cases and delivered its judgements swiftly and competently, thereby building up its credibility. That fact has proven wrong the opinion that the Tribunal has no raison d'être.

My delegation supports the draft resolution contained in document A/57/L.49. We reiterate our support for a moratorium on large-scale drift-net fishing, and believe that it is in the common interest of the international community to prevent the depletion of fish stocks caused by such practices. Malaysia has taken several practical measures, including enforcement activities, to deal with that problem. One such measure is the implementation of a monitoring, control and surveillance scheme in our fisheries management programme to ensure that only authorized fishing vessels fish within the designated areas of Malaysia's exclusive economic zone and the exclusive economic zones of other countries. We are also employing the use of an experimental device, called a juvenile- and trash-excluder device, on trawl-net equipment.

The United Nations Agreement for the Implementation of the Provision of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, which entered into force last year, is an important vehicle to ensure the long-term sustainability of fish stocks and their optimal utilization. Malaysia is currently studying the Agreement with a view to becoming a party. We hope that the necessary assistance will be made available to States requiring it, in order to ensure the effective conservation and management of straddling and highly migratory fish stocks. In addition, there should not be any duplication of programmes and activities by United Nations-related agencies for the conservation and management of straddling and highly migratory fish stocks.

Discussions on the environment and sustainable development would not be complete without reference to the oceans and the marine environment and its resources. Malaysia is of the view that all sources of marine environment degradation must be addressed — including land-based and seabed activities, the dumping of wastes, vessel-source pollution and pollution from, or through, the atmosphere. Previous initiatives, such as Agenda 21 and the outcome of the United Nations Conference on Environment and Development, have dealt with issues regarding ocean resources and the marine environment. Most recently, the World Summit on Sustainable Development also dealt extensively with sustainable development in the context of oceans and seas. Malaysia fully associates itself with those initiatives and will ensure that their aspirations are fulfilled.

However, we believe that it is timely for an appropriate mechanism to be created in order to provide the institutions established by those initiatives with an avenue to consider the interrelated problems of the oceans as a whole and to identify necessary issues, programmes and strategies. That would ensure that the governance of the oceans is not fragmented and would be in line with the progress made in the area of sustainable development.

We believe that the General Assembly itself is the appropriate mechanism to consider the interrelated problems of the oceans as a whole. Although, in a way, the United Nations Informal Consultative Process on the law of the sea has fulfilled that role, it lacks juridical, technical and economic functions. Malaysia therefore proposes that the Process be transformed from a mere process of consultation to an "ocean assembly" tasked with studying the development of ocean affairs under the framework of the United Nations Convention on the Law of the Sea, the United Nations Conference on Environment and Development and the World Summit on Sustainable Development. Its work would be undertaken against the backdrop of overall developments in all ocean issues. Such an assembly would be capable of becoming a forum for negotiation and would have a mandate to take decisions and direct agencies under the United Nations umbrella to perform certain tasks as required.

The international community has laboured very hard over many years to put in place a legal regime to govern matters involving oceans and seas. It must therefore be our common responsibility to guarantee that this international legal regime remains relevant and gains universal acceptance. In that regard, Malaysia encourages States that have not done so to become parties to the Convention. That will contribute towards the further development and consolidation of international law relating to the oceans and seas.

Mr. Kofod (Denmark): I have the honour to speak on behalf of the European Union (EU). The countries of Central and Eastern Europe associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia — and the associated countries Cyprus and Malta align themselves with this statement.

I would like to note that, for the sake of respecting time limits, my intervention will be a shorter version of the one being distributed in printed form. I invite delegations to refer to the longer version.

This year marks the commemoration of the first two decades of the life of the United Nations Convention on the Law of the Sea. Its entry into force, eight years ago, was of the greatest importance for the establishment of a comprehensive international legal framework for ocean governance. This was also the year of the holding in Johannesburg of the World Summit on Sustainable Development, 10 years after the Rio Summit. The European Union believes that the results of the Johannesburg Summit constitute a framework for actions to be taken in the following years and to be further developed and implemented by Member States and by the United Nations system and its organizations.

The agenda item entitled "Oceans and the law of the sea" underlines how oceans and the rule of law have become inseparable. While reaffirming rules of customary law and previous conventions, the Convention also gave birth to the new law of the sea and inspired important international agreements governing the oceans in numerous aspects, in particular with regard to the management of ocean resources and the protection of the marine environment. Given its comprehensive role in the legal regime governing the world's oceans, universal acceptance of the Convention and of all related agreements is highly important. It is also essential that all parties act in strict conformity with the Convention.

In that regard, the European Union remains concerned about declarations made by States that in

fact appear to be reservations excluding or modifying the legal effect of certain provisions of the Convention. As the Convention clearly states in article 309 that reservations may not be made, such declarations cannot have any legal effect. Furthermore, the European Union does not accept the implementation by States parties of national legislation that is not consistent with the Convention.

The EU welcomes the achievements of the World Summit on Sustainable Development (WSSD), which took place in Johannesburg in August and September this year. The Summit resulted in remarkably improved prospects for a more action-oriented implementation of Agenda 21, and in particular on its chapter 17 on the oceans. The EU contributed significantly to the outcome of the Summit and is determined to play an active role in the continued process. Among other things, through its international scientific cooperation in the Sixth Framework Programme for Research, the European Union will offer opportunities for research on marine protected areas in response to the WSSD decision to restore degraded aquatic ecosystems by 2015.

Since the United Nations Conference on Environment and Development in 1992 in Rio de Janeiro, new international legal instruments have been adopted. However, this legislation does not suffice to prevent existing problems from growing and new ones from arising. We still have too much pollution, overfishing and maritime safety problems, as well as rising crime rates and many other preoccupying issues. To some extent, this is due to the insufficient level of implementation and enforcement by States of international law already in existence.

The World Summit on Sustainable Development this year agreed on important decisions in connection with the oceans, such as the decision to establish an effective, transparent and regular inter-agency coordination mechanism on ocean and coastal issues within the United Nations system; the need to strengthen the Intergovernmental Oceanographic Commission as a focal point for research; the targets and timetables approved with respect to biodiversity; fish stocks; the establishment of a network of marine protected areas by 2012; and the establishment under the United Nations of a regular process of reporting and assessment of the state of the marine environment by 2004.

Still, one of the most preoccupying problems related to oceans and the seas has been and still is the deteriorating state of marine living resources, mainly due to overfishing. In the EU, we have taken several steps to achieve a better balance between the fluctuating marine fish resources and the fishing effort, the most important being the revision of the Common Fisheries Policy before the end of this year. We have taken some important steps towards a better management system and fleet and structure policy. We are also looking at our control and enforcement.

In some respects, too much money has been invested in the fishing fleet and it has resulted in overcapacity because there is less available fish to make investments profitable. It leads to violation of fishing rules and overexploitation of fish resources. Reducing global fishing overcapacity has to be solved. The EU wishes to reiterate its concerns on overfishing.

The EU is deeply concerned about the serious impact that incidents at sea have on the marine environment. In the case of the most recent incident of the wreck of the oil tanker *Prestige* off the coast of Spain and Portugal, we have seen yet more serious pollution caused by an old single-hull tanker. It is of the utmost importance that maritime safety policy be improved to reduce the risk of incidents, avoid the loss of human lives and prevent marine pollution. A number of important initiatives have been taken as a result of other serious incidents — for example, that of the *Erika*.

Nevertheless, the *Prestige* incident clearly shows that there is a need for further measures to pursue and improve maritime safety in order to reduce the risk of serious marine-based pollution. Maritime safety and pollution prevention are common goals that should go beyond national or regional differences. The EU therefore strongly supports the International Maritime Organization (IMO) as the prime regulator of maritime safety and the prevention of maritime pollution. The EU wishes to help identify weaknesses and gaps in the international regulations and their implementation and to address them in the appropriate forum. The same goes for the strengthening of the regulation of maritime security, where intensive negotiations are currently ongoing within the IMO.

As the General Assembly has noted with deep concern over the past years, the marine environment continues to degrade as a result of pollution by

dumping of hazardous waste. The entry into force of the 1996 Protocol to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter should not be delayed. The EU urges all States to ratify the 1996 Protocol so that it can replace the 1973 Convention as the sole international global regime regulating the dumping of waste at sea.

Concrete results in marine scientific research will depend highly on capacity-building at both the national and regional levels and on the transfer of technology. In the EU, we will encourage better cooperation and coordination of marine scientific research in fisheries and environment. Current efforts to strengthen capacity-building should be continued and kept under review in order to ensure that emerging problems and priorities are addressed. Furthermore, we need to elaborate better coordinated data-collecting systems. Improved data will improve our understanding of how marine ecosystems function and help us to manage them better.

Piracy and armed robbery have been on the international agenda for many years now. The considerable number of incidents has caused serious international concern and many actions have been taken over the years to deal with this problem. The crimes of piracy and armed robbery are indeed a serious threat to seafarers and international commercial shipping that requires continuous focus and new efforts from States and international organizations.

One of the recent initiatives in the efforts to combat piracy was the EU/Association of South-East Asian Nations Experts Meeting on Maritime Security in Manila in February 2002. The result of the meeting was a number of constructive proposals for further international and regional cooperation.

The ability of States to make effective responses to the many challenges in ocean affairs is substantially enhanced when regional cooperation arrangements are in place. At the global level, the International Maritime Organization needs to continue to play the leading role and should remain the forum for developing effective responses to incidents of piracy and armed robbery. The EU welcomes the actions undertaken so far by the IMO, such as the development of a code of practice for investigations and the preparation of amendments to the International Convention for the Safety of Life at Sea, adding special measures to enhance maritime security, and encourages the IMO to continue its work. The EU urges States to support the efforts of the IMO, as well as corresponding initiatives in other organizations, such as the International Labour Organization and the World Customs Organization.

Several episodes of international terrorism have outraged the international community and shown the terrorists' incomprehensible contempt for human life. International terrorism is on the international agenda when it comes to maritime security as well, and the international community has shown its will to combat terrorism. The IMO has once again proved itself to be an effective United Nations organization and the amendments to enhance maritime security are expected to be adopted as soon as December this year. The EU strongly supports these international initiatives on maritime security.

Several incidents involving the rescue of illegal migrants in distress at sea underline the necessity of finding more binding and enforceable solutions. This is indeed a topic that raises concern and needs urgently to be dealt with by the international community. Apart from the human tragedy involved, which can affect any region in the world, the growing number of persons found in distress at sea raises a wide range of political and legal questions pertaining, inter alia, to the Convention on the Law of the Sea and the 1974 International Convention for the Safety of Life at Sea. This difficult issue, which involves various levels of competences, should be addressed in a comprehensive and serene manner with the aim of finding adequate international long-term solutions.

The EU, recognizing the work being done by both the IMO and the Office of the United Nations High Commissioner for Refugees, therefore calls for strengthened international cooperation, which should be focused on providing information in order to prevent persons from undertaking hazardous journeys by sea, on preventing shipowners and masters from illegally transporting migrants by sea, and on developing and harmonizing procedures to deliver persons in distress at sea quickly to a place of safety. In this regard, a possible debate on the latter issue at a future session of the Informal Consultative Process on oceans might be helpful.

The complexity of the international regime of the oceans and seas is enormous. International coordination and cooperation is becoming even more imperative to ensure implementation of all existing

norms in a coherent manner and to assess the needs for future action at the national, regional, interregional and global levels. The General Assembly, conscious of the close relationships among ocean aspects, recognized this by creating an informal process to discuss ocean matters in an integrated way, based on the Convention and Agenda 21, and to suggest particular issues to be considered by the Assembly.

The Informal Consultative Process on oceans, which held its third meeting from 8 to 15 April 2002, has again very satisfactorily fulfilled its mandate by providing substantial input for a better understanding of oceans and highlighting issues for common action. The EU welcomes the decision to be taken by this plenary to continue the Consultative Process for another three years, in accordance with resolution 54/33 and looks forward to participating actively at its meeting next year. We welcome a stronger focus by the Consultative Process on concrete and practical issues, including developments on issues discussed at previous meetings.

The EU had expected the Subcommittee on Oceans and Coastal Areas of the Administrative Committee on Coordination to play a major role for the improvement of inter-agency coordination and cross-sectoral cooperation on ocean affairs within the United Nations system. We have learned from the report of the Secretary-General, however, that the Subcommittee has been dissolved.

We believe that more constructive thinking ought to be given to improved inter-agency cooperation and coordination within the existing United Nations system, without letting the process become institutionalized or bureaucratized. The draft resolution to be adopted invites the Secretary-General to establish within the United Nations system an effective, transparent and regular inter-agency coordination mechanism on ocean and coastal issues. We look forward to seeing constructive developments in this regard.

Finally, I would like to thank the Secretary-General and the Secretariat, in particular the Division for Ocean Affairs and the Law of the Sea, for this comprehensive and valuable report on oceans and the law of the sea. The report traditionally serves as a basis for the debate in the General Assembly and also for the discussion within the framework of the Informal Consultative Process on oceans. In this context, the EU underlines the importance of the input to the report on oceans and the law of the sea, provided by intergovernmental organizations, specialized agencies and funds and programmes of the United Nations engaged in ocean affairs.

Mr. Szekely (Mexico) (*spoke in Spanish*): Sir, allow me to begin by expressing my thanks, on behalf of my delegation, for the introduction by the Coordinators of each of the draft resolutions relating to agenda item 25 (a), (b) and (c). Our thanks also go to the Secretary-General for the preparation and presentation of his reports, which give a general overview of developments related to oceans and the law of the sea and provide vital elements for discussion and negotiation in the Informal Consultative Process.

At the same time, my delegation supports the statement that will be made by the representative of Costa Rica on behalf of the Rio Group.

At the time, the Convention's opening for signature marked the culmination of the spirit of cooperation that had been necessary for the establishment of a legal regime for the oceans. Those who had the privilege of participating in the negotiations at the Third United Nations Conference on the Law of the Sea witnessed the building up of a regime that continues to pose challenges for the international community and which has eliminated the obstacles that were hindering close and more efficient cooperation among nations.

This was the case, for example, of the establishment of the exclusive economic zone. As our most distinguished representative, Ambassador Jorge Castañeda, stated, the concept of what was then called the patrimonial sea represented not only a middle ground but also the concept that best reconciled the interests and needs of the coastal State and the international community, and as a result, became the focus of convergence among the positions represented at the Conference. Ambassador Castañeda himself, in what he described as a calculated risk that the Convention would be adopted successfully, succeeded in 1975 and 1976 in having Mexico introduce a number of constitutional reforms, as well as specific domestic legislation, establishing a Mexican exclusive economic zone with the same shape and scope that would subsequently be recognized by the Convention a few years later.

Twenty years after the opening for signature of the Convention, our country reaffirms the validity of the legal regime for the oceans and pays tribute to those, such as Ambassador Castañeda, who made a key contribution to the success of the regime. For this reason, the Mexican Government is presenting to the General Assembly a reissue of one of the most representative written contributions of Ambassador Castañeda, which reflects the role that our country decided to play in consolidating contemporary maritime law. We also take pride in recalling other Mexican contributions, such as those for which Ambassador Antonio Gomez Robledo was responsible, concerning good faith and abusive law, which are reflected in article 300 of the Convention.

With respect to the provisions of Part XV, in the area of peaceful settlement of disputes, I am pleased to inform the General Assembly that Mexico will shortly be making a statement concerning its choice of means, as provided for in article 287 of the Convention. That declaration will reaffirm my Government's trust in the institutions created 20 years ago, such as the International Tribunal for the Law of the Sea. At the same time it will recognize the important role that the International Court of Justice has played in the development of contemporary maritime law.

Likewise, in this context, my country's Government has decided to nominate arbiters, conciliators and experts, pursuant to annexes V, VII and VIII of the Convention. In this way, Mexico is heeding the appeal made by this General Assembly in the current draft resolution on oceans and law of the sea, as well as in the one on prevention and peaceful settlement of disputes adopted in the Sixth Committee at this session.

The universal nature of the Convention has always been, in Mexico's view, a fundamental prerequisite for the success of the maritime regime. Today the universality of the maritime regime is a reality, with just a few exceptions. For this reason, mindful of our responsibility in promoting that universality, and in response to the resolutions on oceans and the law of the sea, including the current draft, I am gratified to inform this Assembly that my country's Executive branch recently sent to the Senate of the Republic for approval the Agreement on Part XI. For this reason, I can state with certainty that very shortly Mexico will be in a position to deposit the appropriate instrument and thus participate more actively and with greater commitment in the work of the International Seabed Authority.

The role of the Authority needs to be broadly recognized and supported. For this reason, we welcome the initiatives designed to establish a normative framework for exploration and exploitation of ferrous-manganese sulfides and cobalt-rich crusts. In this regard, Mexico will continue to participate actively in the seabed regime, with the full conviction that the Authority, pursuant to its mandate, will be able to safeguard the interests of the international community and individual countries, whether the matter be economic or on questions of protection of the marine environment in the light of activities in the area.

Although much has been achieved over the past 20 years, the marine regime established by the Convention still poses significant challenges concerning the protection of the marine environment, access to living resources, capacity-building, coordination and cooperation and sustainable development. Other concerns to which my country attaches particular importance relate to the protection and the conservation of living marine resources. Those include the need to review the regime concerning the conservation of cetaceans in order to equip ourselves with mechanisms that effectively bolster the protection of those marine mammals. In that regard, we think that it is appropriate to draw up proposals that assist in accommodating that need.

The Mexican delegation welcomes the current draft resolution on oceans and the law of the sea (A/57/L.48), which reflects the challenges and needs confronting us. For my country, it is essential that all joint efforts aimed at sustainable development focus duly on the protection of fragile and vulnerable ecosystems established in article 194, paragraph 5, of the Convention. That applies to the protection of coral reefs and their ecosystems, which have been affected by physical impacts of vessels and pollution. This is indicated in the current draft resolution when it makes reference to decision VI/3 of the Conference of the Parties to the recently adopted Convention on Biological Diversity.

International cooperation is essential to prevent adverse effects as well as to care for and restore those ecosystems. Assistance to improve hydrographic capacities and to ensure the effective drafting of nautical charts is key not only for the protection of the

marine environment, but also in order to ensure navigational safety. In that regard, my country recently became a full-fledged member of the International Hydrographic Organization, with which we hope to have much closer cooperation.

As to navigation safety, the delegation of Mexico attaches importance to the fact that the draft resolution takes note of the problem of trafficking in migrants, and that it does so in a way that is in keeping with the provisions of the Protocol on that subject to the United Nations Convention against Transnational Organized Crime.

The Government of Mexico also wishes to place on record and convey its appreciation to the Division for Ocean Affairs and the Law of the Sea. We are pleased, therefore, that the draft resolution recognizes the role of the Division in the area of cooperation and coordination, as well as with respect to technical assistance to States, specifically relating to matters regarding the establishment of geographical data and the delimitation of maritime zones.

The Mexican delegation welcomes the decision of the General Assembly to extend the life of the Consultative Process, which has contributed to improving and articulating the debate on the areas in which enhanced inter-institutional coordination are needed, in a climate of open participation.

As far as my country is concerned, the deliberations of the next session of the Consultative Process will be extremely important. As I mentioned earlier, one of the most significant concerns that we have relates to the protection of vulnerable ecosystems, which, again, applies to the physical impact of the collisions of vessels against coral reefs, a problem of great concern to us.

A priority issue for the Government of Mexico is regional cooperation for the integrated management of the oceans and, above all, for the effective implementation of the Convention, particularly in the area of establishing geographical data and maritime delimitation. As members will recall, at my country's initiative, the first plenary meeting of the Caribbean Conference on Maritime Delimitation was held in May 2002, in which representatives from 24 countries and 4 international organizations participated, including the United Nations, through the Division for Ocean Affairs and the Law of the Sea. On that occasion, the participants adopted the rules of procedure of the Conference and decided to establish the Register of Delimitation Negotiations, as well as the Assistance Fund, whereby participants will be able to secure the necessary technical advice to make progress in their delimitation negotiations. Likewise, at the first plenary meeting, the first delimitation negotiation between Belize and Mexico was inscribed in the Register of the Conference.

The Caribbean Conference seeks to be a technical forum to facilitate, principally through technical assistance, the convening of voluntary delimitation negotiations, on the basis of full independence of the parties and autonomy in the negotiations. Thus, the decision was made to create an assistance fund, motivated by the need for mechanisms to which parties to a negotiation could have free recourse in order to secure the necessary technical advice for a maritime delimitation.

Thanks to the Secretariat of this Organization, the fund in question was recently set up. The delegation of Mexico once again expresses its appreciation to the Division for Ocean Affairs and the Law of the Sea and the Department of Economic and Social Affairs for their roles in establishing that Fund. I wish also to inform the General Assembly that, as announced, the Government of Mexico has made its contribution of $50,000 to the Conference Fund. Thus, I am gratified to say that the Fund is now operational.

Mexico is convinced that the Convention lays the basic legal foundation within which all activities on the oceans and seas should be carried out, including those relating to the protection and sustainable development of fishing resources.

Growing pressure on marine resources, including the increase in pelagic high seas fishing operations, together with the growing food needs of the world population, have made it necessary once again to ensure enhanced cooperation of the international community in order to regulate fishing activities in a sustainable way. For that reason, we welcome the outcomes of the World Summit on Sustainable Development.

In spite of that, and although the draft resolution on the 1995 Agreement reaffirms the outcomes of the Summit, particularly those relating to the conservation and management of straddling fish stocks and highly migratory fish stocks, we should not neglect the fact that paragraph 31 (e) of the Plan of Implementation can

be interpreted only in the light of the relevant provisions of the Law of the Sea Convention.

In conclusion, I wish to reaffirm Mexico's commitment to the principles and values promoted by the Convention. Without doubt, its existence has helped build a space of peace, development and cooperation, which will continue to be key to enhancing our ties of friendship.

Mr. Nguyen Thanh Chau (Viet Nam): This year marks the twentieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea. This special occasion has provided us with a precious opportunity to review and evaluate the implementation of the Convention, as well as the developments relating to ocean affairs over the past 20 years.

There is no doubt that the opening for signature of the 1982 Convention is a great landmark in the process of codification and progressive development of international law as a whole, and the law of the sea in particular. As a comprehensive code of rules and principles governing all activities at sea, the Convention has enjoyed, and continues to enjoy, strong support from the world community. This is evidenced by the fact that a large number of States — 138 — are now contracting parties to the Convention. But more important is the fact that the provisions of the Convention are now being incorporated into the national legislation of many States and becoming norms of customary law.

We have also witnessed another meaningful outcome of the implementation of the 1982 Convention, namely the creation and operation of the International Tribunal for the Law of the Sea, the International Seabed Authority and the Commission on the Limits of the Continental Shelf. These bodies have recorded initial but quite encouraging achievements. While we welcome these positive developments, we deem it necessary to stress that the world community must enhance its efforts to implement the Convention, whose integrity must be maintained.

Viet Nam has always attached great importance to the progressive development of the law of the sea. It therefore fully supports the 1982 United Nations Convention on the Law of the Sea. Viet Nam welcomes the progress that has been made in the work of the International Seabed Authority, the International Tribunal for the Law of the Sea, and the Commission on the Limits of the Continental Shelf. In particular, we deeply appreciate the recent decision by the States parties to the 1982 Convention to extend the time frame for States that became parties to the Convention before 13 May 1999 to submit data delineating the outer limit of their continental shelf. This solution is very helpful for those States that are facing difficulties in complying with the time limits due to a lack of technical expertise and resources. Viet Nam is in favour of encouraging all Member States and the relevant international organizations and institutions to assist developing States in the preparation of submissions.

Guided by the provisions of the Convention, over the last few years Viet Nam has adopted 12 new ordinances and decrees relating to maritime activities, with a view to further harmonizing our national legislation with the international law of the sea. Our country has also successfully concluded agreements on maritime delimitation with certain neighbouring countries on the basis of the 1982 Convention.

With regard to the situation in the South China Sea, we share the view of all parties involved that all disputes must be settled by peaceful means, through negotiations in a spirit of equality, mutual understanding and strict respect for international law, especially the United Nations Convention on the Law of the Sea. In that context, we take note with satisfaction of the signing — at the eighth Summit of the Association of South-East Asian Nations (ASEAN), held in Phnom Penh, Cambodia — by the ASEAN countries and China of a Declaration on the Conduct of Parties in the South China Sea. This is a positive step towards building a code of conduct in the South China Sea, as agreed by the ASEAN leaders and China at the sixth ASEAN Summit in Hanoi in December 1998, thus paving the way for a fundamental and durable solution to the disputes concerning the South China Sea.

I wish to conclude my statement by expressing our sincere thanks to the Secretary-General for his comprehensive reports on matters relating to the law of the sea and ocean affairs. Our appreciation also goes to the high-level committee of Ambassadors and to the Division for Ocean Affairs and the Law of the Sea for their contributions to preparations for the commemorative meeting. On this occasion, my delegation wishes to reiterate Viet Nam's willingness to cooperate in the effective implementation of the

1982 United Nations Convention on the Law of the Sea, in a spirit of mutual understanding and cooperation, as enshrined in the Convention.

Ms. Todrova (Bulgaria): Today we are celebrating an important international event of global dimensions. The adoption of the United Nations Convention on the Law of the Sea and its opening for signature 20 years ago are among the most significant achievements in the process of the establishment of a new international legal order relating to the seas and oceans.

The process leading to the adoption of the Convention was a unique law-making experience that has resulted in the enactment of a comprehensive framework of rules determining the legal status of all maritime spaces and the legal regime governing all major maritime activities. In addition, the Convention provides for a developed system of procedural and related institutional rules for the settlement of international disputes arising from the implementation or interpretation of the Convention. As has been pointed out, the settlement of disputes is a linchpin of the Convention. We believe that these three components of the Convention constitute the foundation of a legal order for the seas and oceans, for the equitable and efficient utilization of their resources, for the conservation of their living resources, and for the study, protection and preservation of the marine environment, as set out in the preamble to the Convention.

We would like to suggest that, given the very interesting and thought-provoking discussions which took place during the informal panels, the deliberations and proposals advanced therein should be followed up as early as possible. In this connection, my delegation is of the view that an appropriate occasion might be the tenth anniversary of the entry into force of the Convention, in 2004. Of course, in this case the commemoration should not be considered as the primary motivation.

We believe that emphasis should be placed on finding ways and means to ensure compliance with and enforcement of rules, regulations and established standards. The primary mechanism for enforcement should be supplied by special agreements deriving from the provisions of the Convention. At the same time, this should not be ruled out beforehand by use of the pertinent provisions of the amendment procedures, particularly articles 312 and 313 of the Convention.

We acknowledge in principle that the parties to the Convention have been confronted with important challenges, due to technological and other developments relating to the new duties of States, in particular port States beyond the purview of article 218 of the Convention. This may require that the powers and functions of port States be enhanced, with some improvements made to the existing text through amendments agreed upon by consensus.

I would also like to join those speakers who highlighted the significance of the Convention for the maintenance of peace and the strengthening of international security, as well as the sustainable development of the oceans. In this connection, we consider that the need to prevent and suppress crimes at sea, such as piracy, armed robbery, illicit trafficking in narcotic drugs, the dumping of hazardous wastes and the smuggling of migrants and stowaways are among the priority issues.

In conclusion, I should like to express our appreciation to the organizers of this gathering, in particular the Division for Ocean Affairs and the Law of the Sea and the panellists and experts who presented valuable scientific information on novel marine biological and geological data. The general overview of the main features of the Convention has provided convincing evidence of the significant impact of the Convention at three important levels, namely, the modern law of the sea and general international law as its component, international jurisprudence and national legislation in maritime affairs.

We would also like to emphasize the paramount importance of the accession of major maritime States and other States Members of the United Nations, in order to attain the complete universality of the Convention. In our view, such universal participation in the Convention is a prerequisite for the efficient role of the Convention as the constitution of the oceans and a viable legal foundation for global and regional cooperation.

Mr. de Rivero (Peru) (*spoke in Spanish*): The process leading to the adoption of the United Nations Convention on the Law of the Sea was an ambitious undertaking. More than 14 years elapsed before that process culminated at Montego Bay on 10 December 1992. That was, without question, the outcome of an

enormous and complex negotiating exercise in which many eminent personalities from our countries participated. In this regard, my delegation would like to associate itself with the tribute paid to Ambassador Arvid Pardo, who convinced the world that the seabed should be the common heritage of humankind.

To that concept — which was very advanced at that time, but which is now accepted not only for the seabed but for other areas on land — was later added the notion of the legitimate right of coastal States to benefit from the natural resources adjacent to their coasts. That concept subsequently took shape in the regulations of the exclusive economic zone, for which Part V of the Convention makes extensive provision.

From the outset, Peru was at the forefront of promoting a new law of the sea, and with other South Pacific and Latin American countries we put forward the concept of a 200-mile limit to ensure that the resources thereby defined could be conserved, developed and used in the interests of the livelihood and economic well-being of their peoples, while recognizing the right of innocent passage through such zones for the vessels of all nations.

That idea of a 200-mile boundary concept gained ground thanks to the tireless and persuasive efforts of Peruvian diplomacy, in particular the late Ambassador of Peru, Alfonso Arias Schreiber — one of the great champions of the 200-mile concept. The active work of persuasion carried out by Ambassador Arias Schreiber was not confined solely to the negotiating rooms in this complex, but involved wide-ranging travel to a number of countries on all continents, with the aim of promoting the 200-mile concept, which is now broadly accepted. Even though Peru is not yet a party to the United Nations Convention on the Law of the Sea, our country has recognized the basic rules and principles of that international instrument in its domestic legislation, in particular with respect to the protection and conservation of living marine resources. The General Fisheries Act, for example, adopted on 21 December 1992, was inspired by the provisions of the Convention. Furthermore, our national legislation governing the regulation of fishing, allowable catch, seasons and zones, as well as other rules for the preservation and exploitation of such resources, are all compatible with the Convention.

Peruvian legislation also stipulates, in keeping with the provisions of the Convention on the Law of the Sea, that fishing activities by foreign flag vessels are supplementary or complementary. In other words, it is the coastal State only that can determine the allowable catch and authorize foreign vessels to engage in fishing operations on the basis of the balance of the allowable catch not taken by the country's own fishing fleet.

Finally, our country complies with the regime established by the Convention concerning freedom of navigation for foreign vessels through waters subject to national jurisdiction.

In the course of consideration of this issue during the previous session, Peru, in explanation of vote, noted that in May 2001 the executive branch had officially presented our Congress with a draft law for Peru's accession to the Convention on the Law of the Sea. The care and thoroughness with which this issue is being studied by our law-makers means that it is not possible for us to deposit, on this commemorative occasion, Peru's instrument of accession to the Convention, as we would have liked. I would, however, like to take this opportunity to announce that, as a clear signal of Peru's favourable approach to the Convention, I have received instructions from my Government to change the vote that my country has cast in the past on the draft resolution on oceans and the law of the sea from one of abstention to a vote in favour.

We hope to accede to the Convention on the Law of the Sea. In the meantime, my country expresses its respect for the principles of conservation, sustainable development, technical cooperation and peaceful use of the oceans embodied the United Nations Convention on the Law of the Sea.

Mr. Mathiesen (Iceland): At the outset, I would like to commend the Secretariat — in particular the very able staff of the Division for Ocean Affairs and the Law of the Sea — for the comprehensive reports on oceans and the law of the sea and on large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas, fisheries by-catch and discards, and other developments (A/57/57 and Add.1, A/57/459). I would also like to acknowledge the professional manner in which the coordinators, Mr. Colin McIff and Mr. Marcel Biato, conducted the informal consultations on the three draft resolutions before the Assembly in documents A/57/L.48, L.49 and L.50.

It is highly appropriate today, on the twentieth anniversary of its opening for signature, to recall the United Nations Convention on the Law of the Sea, which provides the legal framework for all of our deliberations on oceans and the law of the sea. The Convention, which is undoubtedly one of the greatest achievements in the history of the United Nations, is the first and only comprehensive treaty in the field of the law of the sea. It contains both codified rules of customary law and a number of innovations, covering all uses not only of oceans and seas but also of their superjacent airspace and subjacent seabed and subsoil.

Under the leadership of the late Hans G. Andersen, Iceland played an important role in the evolution of the law of the sea in the second half of the past century, including at the Third United Nations Conference on the Law of the Sea. Ever since, Iceland has been a strong proponent of the Convention on the Law of the Sea, and it was the first Western country to ratify the Convention, in 1985.

It is imperative that the Convention be fully implemented and that its integrity be preserved. Issues that were settled at the Conference on the Law of the Sea should not be reopened. In that respect, it needs to be borne in mind that the conclusions of the Conference were regarded as a package deal, with individual States prevailing in some areas but having to yield in others.

As we commemorate the twentieth anniversary of the Convention on the Law of the Sea, we note with satisfaction that the three institutions established under the Convention are functioning well. The International Tribunal for the Law of the Sea has already adjudicated a number of disputes in this field. The International Seabed Authority is actively preparing for future exploitation of resources on the seabed in the international area. The Commission on the Limits of the Continental Shelf has received the first submission from a coastal State regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles. Iceland has begun preparation of its submission to the Commission and is following its work with special interest.

In that context, I am pleased to announce that the Law of the Sea Institute of Iceland and the Center for Oceans Law and Policy at the University of Virginia will co-host a conference on legal and scientific aspects of continental shelf limits, to be held at Reykjavik on 25 to 27 June next year. In that way, we hope to contribute to the understanding of article 76 of the Convention and thus to facilitate the preparation of submissions to the Commission by coastal States.

We welcome the entry into force last year of the United Nations Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. The Agreement is of paramount importance, as it strengthens considerably the framework for conservation and management of those stocks by regional fisheries management organizations. The provisions of the Agreement in many ways strengthen the relevant provisions of the Convention on the Law of the Sea, and some of the provisions represent a development of international law in that area. However, the effectiveness of the Agreement depends on its wide ratification and implementation, and we encourage those States that have not yet ratified the Agreement to do so.

The oceans are of particular importance to Iceland, as our economy is based on the sustainable harvesting of living marine resources. The health of the oceans and their responsible stewardship are therefore of critical importance to Iceland. Thus, we welcome the fact that, in recent years, the General Assembly has devoted increasing attention to the oceans.

At its fifty-fourth session, the General Assembly established for three years an Open-ended Informal Consultative Process to discuss the reports of the Secretary-General on the oceans and the law of the sea, to prepare for the annual debates of the General Assembly on oceans and the law of the sea, and to improve coordination and cooperation in that area. We are pleased with the work of the Informal Consultative Process in this initial period, and we would like to thank the two co-Chairmen, Ambassador Neroni Slade and Mr. Alan Simcock, for their valuable contributions. We welcome the continuation of the Consultative Process for the next three years on the same informal basis. The current decision to include "the law of the sea" in the title of the Process underlines that, in all our deliberations on ocean affairs, we must respect the legal framework.

It is the view of the Government of Iceland that discussion in the General Assembly on ocean affairs

should focus on specific issues that have global implications, not on issues that fall under the purview of the sovereign rights of States or that are adequately addressed at the regional level. The General Assembly should address issues that are global in nature and that can be solved only through global cooperation. Thus, we should discuss marine pollution, which respects no boundaries and must therefore be met with global action. We should also discuss what is needed to set a level playing field for the fisheries sector that encourages sustainable fisheries globally, such as the need to remove fisheries subsidies. Further examples can be identified. On the other hand, conservation and sustainable utilization of living marine resources are local and regional matters. Therefore, we cannot accept opening the door to global micro-management of fisheries that are subject to the sovereign rights of States or are under the responsibility of regional fisheries management organizations.

Under the Convention on the Law of the Sea, States have a general obligation to protect and preserve the marine environment. That calls for effective cooperation among States. Article 200 of the Convention calls for active participation in regional and global programmes to acquire knowledge for the assessment of the nature and extent of pollution, exposure to it, and its pathways, risks and remedies. Efforts to strengthen international action to protect the oceans from the impacts of land-based pollution and other human-induced threats have been hampered by the fact that information on the state of the marine environment is not readily accessible to policy makers. Information is fragmented, and coherence and comparability are lacking. That lack of overview is particularly evident when it comes to information on the socio-economic consequences of the degradation of the marine environment.

Regular assessments of the state of the marine environment, including socio-economic aspects, are needed as a basis for decision-making. Iceland, supported by a broad range of other nations, has called for action to meet that need. The draft omnibus resolution of the General Assembly (A/57/L.48) would establish by 2004 a regular process under the United Nations for the global reporting and assessment of the state of the marine environment, including socio-economic aspects. We support that decision. As is clear from the preamble of the draft resolution, the decision has its legal basis in article 200 of the Convention and its political basis in the recommendation of the World Summit on Sustainable Development to that effect.

I would like to express the general satisfaction of the Government of Iceland with the outcome of the World Summit in Johannesburg with regard to oceans issues. We are especially pleased that matters of special interest to Iceland were brought into the Plan of Implementation. Those include recognition of the ecosystem approach, with reference to the Reykjavik Declaration on Responsible Fisheries in the Marine Ecosystem; provisions on the removal of fisheries subsidies; and recognition of the important role of international financial institutions in assisting developing countries in building their own sustainable fisheries.

We have come a long way since that period when Iceland was engaged in serious disputes with its neighbouring countries on the utilization of its living marine resources. On this twentieth anniversary of the United Nations Convention on the Law of the Sea, we pay tribute to the framers of the Convention, which laid disputes of this nature to rest and established an equitable international regime for the oceans based on the rule of law.

The Acting President: I call on the representative of Fiji, speaking on behalf of the Pacific Islands Forum.

Mr. Naidu (Fiji): It is an honour for me to deliver this statement on behalf of the members of the Pacific Islands Forum, namely, Australia, the Federated States of Micronesia, Kiribati, the Marshall Islands, Nauru, New Zealand, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu and my own country, Fiji. Exactly 20 years ago today, on 10 December 1982, Fiji became the first ratifying State of the United Nations Convention on the Law of the Sea (UNCLOS), signalling to the international community the significance of this Convention to island States in our region.

Our group has stated on numerous occasions just how important this agenda item is to us. A common thread binds the geographic diversity within our group. It is, of course, the Pacific Ocean. When one considers that our collective thread of exclusive economic zones amounts to more than 30 million square kilometres of that ocean, that puts into context the magnitude of our responsibility. Indeed, it is this very collective responsibility that makes up the fabric of our group's

common endeavour to ensure the health and well-being of our ocean and its resources.

Our group has continued to demonstrate its commitment to the principles and goals of the Convention and more generally to oceans and seas issues in various forums over this past year. We continue to value the critical work and the decisions of Meetings of States Parties to UNCLOS, the International Seabed Authority and the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS), to name a few. Members within our group have sought to remain active in every oceans and law of the sea endeavour on the United Nations agenda. Like others, we also very much celebrate the important milestone represented by the twentieth anniversary of the opening for signature of UNCLOS.

We welcome, in particular, those Member States that have used the occasion to become a party, including one member of the Pacific Islands Forum, Tuvalu. We also warmly welcome and recall the contributions of the personalities from our region closely associated with the Convention and its continuing evolution, such as Ambassador Satya Nandan and Ambassador Neroni Slade.

We welcome the Secretary-General's initiative in April 2002 in the context of the World Summit on Sustainable Development (WSSD) to encourage States to reaffirm their commitment to the principles of sustainable development, as reflected in Agenda 21 and a framework of carefully negotiated multilateral treaties.

To assist States, the Secretary-General helpfully identified a list of 25 core treaties representative of the spirit and goals of those principles. We were particularly happy to find, among those core treaties, three that were related to oceans and form the fabric of the international legal framework — the Convention, the Agreement on the Implementation of Part XI of the Convention and the 1995 United Nations Fish Stocks Agreement.

In our view, no treaty is more central to the spirit and goals of the Charter than the Convention, providing, as it does, a legal order for nearly three quarters of the earth's surface, and settling all issues relating to the law of the sea, including issues of peace and security, conservation and management of resources and the study and protection of the marine environment in a balanced and integrated manner. When considered together with the other two international instruments, it forms a formidable matrix.

We are pleased that the 1995 United Nations Fish Stocks Agreement has entered into force and welcome the informal meeting of States parties that took place in July. We look forward to the continuing work required of such meetings in the future.

Within this context, we continue to welcome the preparations for giving effect to the Convention on the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific, the constructive participation of all interested States, and the decisions of the latest Preparatory Committee meeting last month in Manila, which included a decision on the location of the Commission in the Federated States of Micronesia. This Convention is a testament to the inextricable link between the Agreement and our regional commitment to conserving and sustainably managing a critically important resource.

As such, we continue to urge the distant water fishing nations and entities with a real fisheries interest in our region to make every effort to become a party to this Convention. The Convention is part of our vision to promote regional cooperation and coordination on fisheries issues, as realized by the establishment in 1979 of the Forum Fisheries Agency, which in its constitutive instrument foresaw the need for additional mechanisms, such as the Convention. In addition to these developments, many within our group have, during that time, concluded valuable multilateral fishery agreements with the United States, of which there have now been three.

As many within our group are developing ocean States, we are encouraged by the commitments from the Johannesburg Summit as contained in the Plan of Implementation, particularly those relating to fish stocks and fishing practices. Implementing these time bound commitments requires responsibility and good faith from all parties, so as to ensure that the coastal States, like the developing ocean States within our group, obtain their fair share of its most vast and bountiful resource.

At the annual meeting of the Pacific Island Forum Leaders held in Suva in August 2002, our region, by its Suva Communiqué (A/57/331), approved a first ever regional oceans policy that elaborates some guiding

principles that should serve as a template for the States in our group to consider developing national ocean policies that strengthen coordination and complementarity in our ocean-related activities. We are pleased that regional activity, such as this one, has been noted in the omnibus resolution.

As sponsors of the resolutions to be adopted under today's agenda item, we have participated actively in the informal consultations on all of them. We wish to register our sincere gratitude to Brazil, Malta and the United States as the coordinators of these resolutions, as well as the Division for Ocean Affairs and the Law of the Sea, for their unwavering efforts in facilitating this important work. In addition, we commend Ambassador MacKay of New Zealand for his leadership this year in his capacity as President of the UNCLOS Meeting of States Parties, including in the preparations for this commemorative oceans event.

As we have indicated in previous statements, the Pacific Group considers this annual review by the General Assembly of developments with respect to oceans and the law of the sea to be critically important, as the General Assembly remains the only body within the United Nations system that can harness all the complex and interrelated aspects and activities. While we are ever thankful to the Secretary-General for his annual comprehensive report and continue to see it as pivotal to the proper exercise of the General Assembly's responsibilities, we hope this reporting capacity continues to be strengthened. Our Group is most satisfied with the developments that have taken place over the last year to facilitate this annual review and enhance the General Assembly's overview of this important subject matter. In this respect, we are particularly pleased that the UNICPOLOS process will continue for another three-year term which, in turn, will contribute to more focused and substantive resolutions.

Each year, members of the Pacific Islands Forum have again endeavoured to co-sponsor all oceans-related resolutions and have negotiated as a group, always in the hope of concluding consensus resolutions. The recent trend on voting on the omnibus draft resolution is regrettable, particularly so on this occasion of the commemorative twentieth anniversary of the Law of the Sea Convention's opening for signature and as it gains the confidence of an increasing number of United Nations Members. Despite that, we commend for delegations' support draft resolutions A/57/L.48, A/57/L.49 and A/57/L.50.

Mr. Fife (Norway): Norway is a sponsor of all three draft resolutions submitted this year under the agenda item entitled "Oceans and the law of the sea". We have now celebrated the twentieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea. We also pay tribute here today to the negotiators who, during the Third United Nations Conference on the Law of the Sea, spearheaded this momentous breakthrough in the development of the international legal order. We regret that Minister Jens Evensen, who played such a key role in the negotiations, was prevented from coming to this session for health reasons. Nevertheless, we salute the presence among us here of Ambassador Helge Vindenes and other eminent personalities, without whose tireless efforts this essential building block of the international legal order would not have been put in place in 1992.

Mention should also be made of the tenth anniversary of the adoption of Agenda 21 and its programme of action on oceans and seas contained in its chapter 17. There is little doubt that the legal regime established by the Convention has attained almost universal acceptance. Nevertheless, some States, including, in particular, 30 coastal States in different parts of the world, are not yet parties to the Convention. Therefore, we must once again stress the importance of increasing the number of States parties both to the Convention and to the Agreement relating to the implementation of Part XI, in order to achieve the goal of universal participation.

The Convention sets out the comprehensive legal framework for all ocean activities and developments and, in doing so, contributes to the maintenance of peace, justice and progress for all the peoples of the world, as is stated in the preamble to the Convention.

First, undoubtedly, the Convention continues to be of fundamental importance for the maintenance of international peace and security. The tragic events of 11 September 2001 and subsequent security threats have made it necessary to carefully examine international instruments and mechanisms aimed at ensuring safety at sea. Preventing shipping from becoming a tool for terrorists is a crucial element of this process which, to a large extent, falls within the scope of the work of the International Maritime

Organization. Enhanced State port control, as well as the establishment of more effective mechanisms to increase maritime safety and security, are not only appropriate but also required by the present circumstances.

The diplomatic conference on the revision of the International Convention for the Safety of Life at Sea, currently taking place in London, will, hopefully, adopt new regulations regarding some of those aspects. The proposed international ship and port facilities security code, which is designed to provide a standardized and consistent framework for evaluating risk, enabling Governments to determine the appropriate responses to the level of threat and vulnerability which exists, will be an important achievement.

My Government is particularly pleased to see that another legal instrument is being added to the basic framework for the rule of law in the oceans with the 1995 United Nations Agreement for the Implementation of the Provisions of the Convention relating to Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, which entered into force at the end of last year.

The implementation of the provision in part VII of the Fish Stocks Agreement relating to special assistance to developing States is fundamental to the successful implementation of the agreement as a whole. However, successful implementation also requires that more developing States become parties to the agreement.

Norway supports the inclusion of fisheries components in the work of the African process for the protection and development of the marine and coastal environment, which is mentioned in this year's resolution on the United Nations Fish Stocks Agreement.

This body, the United Nations General Assembly, has a role to play in advising and guiding competent organizations and specialized agencies and regional organizations on sustainable fisheries issues, in particular, illegal, unreported and unregulated fishing, which is still a serious problem in many parts of the world. We are deeply concerned about the threat to the Patagonian toothfish. We support the measures recently taken at the twenty-first meeting of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) and its Scientific Committee aimed at addressing the problem of the illegal, unreported and unregulated fishing of toothfish in the Convention area nearby.

In this connection, we would like to stress that the management of living marine resources should be handled primarily by the relevant resource management organization, such as CCAMLR, which is tailor-made to undertake exactly such a task.

The role of developing countries in maintaining the UNCLOS regime and fulfilling its potential must not be underestimated and is perhaps one of the most important political features of the Convention today. The cooperation of the developing countries was essential during negotiations. It continues to be very important that those States regard the Convention as furthering their interests. Developing countries, in particular the least developed countries and small island developing States, are finding, however, that they have limited capacity, scarce resources and inadequate means of implementation. That applies not only to current issues, such as the outer delimitation of the continental shelf beyond 200 nautical miles, but also, and not least, to control, monitoring and surveillance assistance to be employed within zones of national jurisdiction as part of an integrated fisheries management regime. That has now been duly recognized.

There seems to be widespread consensus in this body that capacity-building is a main challenge for the new law of the sea. There is a growing realization of the need for States that have a continental shelf that extends beyond 200 miles to devote sufficient national resources to carry out the preparatory work needed for the submission of information to the Commission on the Limits of the Continental Shelf. The Commission has begun to consider the first submission by a coastal State this year. It is crucial that the Commission be able to continue to fulfil its tasks, in accordance with UNCLOS, based on integrity and objectivity and on the support of its work by all States. We are somewhat concerned about the fact that not all members of the Commission are able to come to New York to attend Commission meetings. The Secretary-General was requested by this body to establish a voluntary trust fund to defray the cost of participation in the meetings of the Commission of the developing States members. Norway is happy to confirm that we recently contributed $67,000 to that fund, and we encourage other States to make similar contributions.

Moreover, Norway has put forward a proposal calling on the United Nations Environment Programme (UNEP), working within the Global Resource Information Database (GRID) system for data and information management, to expand on a voluntary basis the capacity of GRID centres to store and handle research data from the outer continental margin with a view to serving the needs of coastal States, in particular developing countries and small island developing States, in compliance with article 76 of the Convention. This proposal comes in addition to the voluntary trust fund that was established two years ago to provide training and technical and scientific advice, as well as personnel, to assist developing States in complying with article 76 of the Convention. Norway contributed $1 million to the trust fund and is very pleased to see that additional contributions have been announced and have been made by Ireland this year.

Despite efforts to provide education and training, insufficient local capacity remains a major barrier to full implementation of UNCLOS. Norway supported a proposal made by Ukraine to request the Secretary-General to compile a web directory of sources of training, advice, expertise and technological services that can contribute to assist in the preparation of submissions to the Commission. It is a directory that will assist States in making use of the voluntary trust fund for article 76 purposes, as well as provide information about the outline of a five-day training course prepared by the Commission in order to facilitate the preparation of submissions.

The United Nations Convention on the Law of the Sea has been called the strongest comprehensive environmental treaty now in existence. The Convention serves as a unifying framework for a growing number of more detailed international agreements on marine environmental protection and the utilization, conservation and management of marine resources. Norway welcomes the decision to establish a regular process for global reporting and assessment by States of the marine environment. However, in following up that proposal, it is important to build on the work already undertaken by UNEP, instead of establishing new mechanisms or alternative communication channels.

Land-based sources are responsible for 80 per cent of the pollution of the oceans and affect the most productive areas of the marine environment. In developing countries, more than 90 per cent of wastewater and 70 per cent of industrial wastes are discharged into coastal waters without any treatment. That is cause for concern. As last year's Montreal review of the Global Programme of Action for the Protection of the Marine Environment from Land-based Activities (GPA) demonstrated, the GPA still suffers from poor implementation. States also make wide use of the treaty-based rights to express reservations with respect to binding obligations on land-based pollution. Part XII of the Convention advocates a more ambitious agenda for protecting important global commerce in order to stop dangerous trends before they become irreversible problems.

Recent environmental disasters, such as the pollution caused by the oil tanker *Prestige* off the coast of Spain and Portugal, are shocking reminders of a constant need to strengthen safety and security regulations, especially for vessels carrying cargo that pose a major risk to the environment. The possibility of new international transport routes for radioactive material and waste is another major concern. Norway has for many years advocated strengthening international regulations on the transport of radioactive materials by sea, as well as strict liability rules for such activities.

Another matter of concern is the introduction of new and alien species into our coastal ecosystems over the past few years. That is another area that calls for a precautionary approach. We need to accelerate the development of measures to address invasive alien species, inter alia, from ballast water. The International Maritime Organization (IMO) must therefore be urged to finalize the IMO International Convention for the Control and Management of Ships' Ballast Water and Sediments.

Norway supports the continuation for another three years of the Informal Consultative Process to facilitate the General Assembly's annual review of ocean affairs and law of the sea. We also support the establishment of an inter-agency coordination mechanism on oceans and coastal issues within the United Nations system, as recommended by the World Summit on Sustainable Development. Such a mechanism should, where feasible, build on existing structures and mechanisms and establish good working and operational relations with the Division for Ocean Affairs and the Law of the Sea, within the Office of Legal Affairs of the Secretariat.

All three of the institutions established through the Convention are now operational and engaged in fulfilling their tasks. We would also like to point out the fact that the International Court of Justice continues to make an essential contribution to the clarification of crucial law of the sea issues, including, notably, in the field of maritime delimitation. In its recent judgment of 10 October 2002, on the land maritime boundary case between Cameroon and Nigeria, the Court confirmed the applicable criteria, principles and rules of delimitation, when a line covering several zones of coincident jurisdiction is to be determined.

Finally, we would like to pay tribute to the excellent work carried out by the United Nations Secretariat, including the Division for Ocean Affairs and the Law of the Sea, which has been essential in focusing on the progress achieved in the last 20 years since the Convention was opened for signature and staking out some main directions for the future.

Mr. Valencia Rodríguez (Ecuador) (*spoke in Spanish*): I wish to take the opportunity of this solemn occasion to inform the General Assembly, as we commemorate the twentieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea (UNCLOS), that the Government of Ecuador, mindful of the fundamental importance of this instrument as the sole universal legal regime regulating all aspects of marine and ocean spaces, has decided that Ecuador should accede to the Convention.

The considerable progress that has been made in the law of the sea since 1982 has convinced us that the issues that initially impeded Ecuador's becoming a party to the Convention have now been largely overcome. There have been advances in areas including the application and consolidation of the new law of the sea by the international community, now that 75 per cent of Member States are parties to the Convention; the signing and entry into force of the Agreement relating to the implementation of Part XI of the Convention, the Agreement on straddling fish stocks and highly migratory fish stocks, the Framework Agreement for the Conservation of Living Marine Resources on the High Seas of the South-East Pacific — the Galapagos Agreement; and the adoption of domestic legislation in keeping with the Convention and the aforementioned agreements. In addition, the advantages that the Convention entails for our country are, without question, greater and more meaningful than any drawback that they may involve.

For small developing countries lacking internationally influential machinery or instruments, adherence to and compliance with the law are the best guarantee of the protection of their vital interests. I wish also to recall that Ecuador, as an original member of the historic Santiago Declaration of 1952, the keystone of the transformation of the law of the sea, participated actively and constantly throughout the negotiating process for the Convention throughout the Third United Nations Conference on the Law of the Sea — and even before that in the work of the Preparatory Commission. Accordingly, accession to the Convention will be the culmination of this lengthy endeavour to consolidate and reaffirm the Convention and of the significant progress made in this important field of international cooperation.

The Government of Ecuador, on 19 July 2002, therefore enacted an executive decree aimed at establishing an agency known as the National Commission on the Law of the Sea, which reports to the presidency of the Republic and whose chief purpose is to facilitate Ecuador's accession to the Convention. For this purpose, the Commission has undertaken studies designed to derive the greatest possible benefit from its provisions, to promote its dissemination and to provide advice to the various branches of the State concerning the advantages for Ecuador of accession. The Commission is made up of the Ministers or Deputy Ministers of Foreign Relations, Defence, External Trade and Environment, the Chairman of the International Affairs Committee of the Congress and a representative of the National Council of Universities and Polytechnical Colleges. The Commission, which I am honoured to chair, also has an executive secretary and a technical secretary. It began its work on 29 August 2002, and since then it has been fully operational and active.

As a result of its efforts, the President of the Republic addressed the national Congress on 17 October 2002 to call for approval of the Convention. This is, constitutionally speaking, a prerequisite for accession. As a result, the matter is now being considered by the legislative branch, and we hope that approval will be forthcoming shortly.

I wish, therefore, to announce that, as soon as this legislative acceptance is secured, the Government of Ecuador will proceed to formalize its accession to the United Nations Convention on the Law of the Sea.

Mr. Andrianarivelo-Razafy (Madagascar) (*spoke in French*): On behalf of the Madagascar delegation, I would like to convey our gratitude to the President of the General Assembly for having organized, jointly with the Division of Ocean Affairs and the Law of the Sea, this commemoration of the twentieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea (UNCLOS). That was a decisive step taken by the international community on 10 December 1982 at Montego Bay, Jamaica.

Like previous speakers, my delegation would like to take this opportunity to pay tribute to those who worked tirelessly during the negotiations on this Convention, leading us to its adoption at the Third United Nations Conference on the Law of the Sea, as one of the most important legal instruments of the twentieth century governing the oceans. We would like to warmly congratulate the Secretary-General for his relevant report on oceans and the law of the sea (A/57/57), which has highlighted the major advances made in the area of maritime affairs 20 years after the adoption of the Convention. We hope to see universal accession to the Convention in the very near future.

This year, 2002, marks an important stage for oceans and the law of the sea, not only because it affords us an excellent opportunity to note the attainment of objectives in this area, but also because it reminds us of the importance of the oceans as a vital economic resource and of the crucial role they play in terms of security, international cooperation and sustainable development. In fact, over the past two decades, three major Convention bodies have been established. We welcome their effective operation, and we wish them complete success in their work.

The United Nations Convention on the Law of the Sea is a global, legal framework for all activities related to oceans and seas, as its provisions set out the rights and obligations of each State with respect to protecting and preserving the marine environment, including measures which are essential to fight marine pollution. Indeed, vessel pollution has for a number of years been a major concern for the international community. Past and recent experience shows once again the scope and gravity of disasters caused and the damage done by pollution of the marine environment.

Madagascar stresses the urgency of taking appropriate measures to preserve the marine environment from such disasters. As an island State, Madagascar has not been spared from these disasters over the past 10 years. Accidents at sea, destroying coastal aquatic fauna and flora, have unfortunately occurred, which speaks to the pressing need to strengthen international cooperation more than ever before in this area and to do it in conformity with the United Nations Convention on the Law of the Sea.

In that context, we are encouraged by the growing number of international agreements on the protection of the marine environment. One of the most important, in chapter 17 of Agenda 21, negotiated in 1992 at the Rio Summit, contains a programme of action to protect oceans and all seas. However, given the problems threatening the marine environment and requiring integrated resource management, as well as non-polluting economic development, the international community deemed it necessary to re-examine the question during the Johannesburg Summit.

Therefore, we note with satisfaction the adoption at that World Summit of the Plan of Implementation to provide at all levels for the sustainable development of oceans, including sustainable fisheries harvest, promoting conservation and oceans management, improving maritime safety and the protection of the marine environment from pollution, and the improvement and scientific assessment of marine and coastal ecosystems as an essential basis for rational decision-making.

In fact, for Madagascar, the coastal zones are at present the platform for a variety of problems. Often by ignorance, fishermen and ocean product merchants are ever more rapidly destroying marine and coastal ecosystems, which now seem to have a very uncertain future unless great efforts are quickly made to do a better job managing and preserving them.

Therefore, an international conference on responsible shrimp farming was recently held in Antananarivo from 3 to 5 December 2002, with the help of international experts and the Madagascar Group of Aquaculturists and Shrimp Farmers. The objective was to present the rapid development of the shrimp fisheries in Madagascar, one of the best performing sectors in the Indian Ocean, and to enable a better understanding of the compatibility of aquaculture with the environment. It was also an opportunity to consider worldwide experience in that area, particularly teaching available from Asia.

Madagascar is an island whose survival and economy depend largely on the protection, management and sustainable harvest of the sea and its resources. Consequently, it has participated actively in negotiations on the United Nations Convention on the Law of the Sea. Therefore, it is truly a pleasure that today we have submitted to the Division of Ocean Affairs and the Law of the Sea a gift commemorating our participation in this work from His Excellency Ambassador Blaise Rabetafika, who led the delegation of Madagascar from the beginning of the Third United Nations Conference on the Law of the Sea until 1982.

Madagascar is the quintessential fishing nation, with five endemic species. Madagascar welcomes the entry into force on 11 December 2001 of the Agreement on straddling fish stocks and highly migratory fish stocks. We are planning to join that Agreement in the near future. Madagascar welcomed the results of the informal meetings of the States Parties to that accord held in New York in July 2002. Those meetings provided for in-depth consideration of part VII of the Agreement, which led to a series of recommendations aimed at facilitating implementation of the provisions of that part and to supplement existing bilateral, regional and global programmes; and at establishing a special trust fund to allow developing countries to participate in those meetings.

In addition, as a member of the Indian Ocean Tuna Commission, Madagascar hosted in September 2001 an intergovernmental meeting to set up a South-West Indian Ocean Fisheries Commission, according to the objective called for in chapter 17 of Agenda 21, to promote conservation, rational management and effective utilization of species other than tuna species. That Commission cooperates closely with other international organizations in areas of mutual interest, in particular with organizations active in the area, especially the Indian Ocean Tuna Commission, the Southern African Development Community, the Indian Ocean Commission and the Common Market of Eastern and Southern Africa.

In that same context, in cooperation with the Food and Agriculture Organization of the United Nations, Madagascar established in May 2001 a project entitled "Project Téléfood Ambatondrazaka", which trains women of the region to improve the quality and conservability of fish, through curing and drying, and to expand their commercial activities.

As for prospects, Madagascar is exploring the idea of creating a network to monitor the aquatic environment, in particular with respect to biotoxins, which are a source of poisoning through the consumption of marine species, along with the ECOTOX network, which involves various health, research and laboratory analysis services.

Madagascar is the fourth largest island in the world, with 5,603 kilometres of coastline and an exclusive economic zone of 1.2 million square kilometres. Madagascar has ongoing environmental problems such as wind-blown sand dunes, coastal sea erosion, cyclones and flooding.

We are deeply concerned by the increase of criminal activities, such as acts of terrorism, high seas piracy, illicit drug traffic and illegal fishing. In 2002, Madagascar has acquired more rational means to do a better job of monitoring its coastline. We wish to express once again our sincere thanks to our developmental partners for their very useful assistance in this area.

It is undeniable that tremendous and significant progress has been made over the past 20 years. However, the wealth, as well as the fragility, of the coastal and marine environment must be better understood and respected.

Special attention should be paid to the vital importance of oceans for development and poverty reduction, particularly for developing countries and island States, as their economies are vulnerable and lack capacity and technical expertise.

Finally, Madagascar hopes that the historic nature of this session for the United Nations Convention on the Law of the Sea will be able to breathe new energy into strengthening international cooperation in order to fully achieve the objectives of this most important legal instrument, of which we can all be proud.

The meeting rose at 12.50 p.m.

United Nations A/57/PV.72

General Assembly

Fifty-seventh session

Official Records

72nd plenary meeting
Tuesday, 10 December 2002, 3 p.m.
New York

President: Mr. Kavan ..... (Czech Republic)

In the absence of the President, Mr. Mamba (Swaziland), Vice-President, took the Chair.

The meeting was called to order at 3.10 p.m.

Agenda item 25 *(continued)*

Oceans and the law of the sea

Report on the work of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea at its third meeting (A/57/80)

(a) Oceans and the law of the sea

Report of the Secretary-General (A/57/57 and Add.1)

Draft resolution (A/57/L.48)

(b) Large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas/illegal, unreported and unregulated fishing, fisheries by-catch and discards, and other developments

Report of the Secretary-General (A/57/459)

Draft resolution (A/57/L.49)

(c) Agreement for the implementation of the Provisions of the United Nations Convention on the Law of Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks

Draft resolution (A/57/L.50)

Mr. Motomura (Japan): At the outset, I would like to express my appreciation to the countries that coordinated the three draft resolutions before us today, namely Brazil, Malta, and the United States of America. My thanks go as well to the countries that contributed to the consultations in a spirit of cooperation.

On the occasion of the twentieth anniversary of the opening for signature of the 1982 United Nations Convention on the Law of the Sea (UNCLOS), the Japanese Government pays high tribute to those who worked so diligently to finalize the text of the Convention, as well as to the countries which cooperated in that work. For the past two decades, the Convention has provided a legal framework for ensuring stability in ocean affairs in such areas as international navigation, ocean transportation and fisheries.

Now, however, the international community is facing a range of new problems relating to the world's oceans. These include, for example, transnational crimes such as terrorism and illegal trafficking in drugs, and the growing pressures on the marine environment. These problems were not anticipated at the time the text of the

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Convention was negotiated. Japan considers that each of them must be addressed in a manner that respects the spirit and provisions of the Convention while maintaining, in principle, its framework.

We are pleased to note that 138 countries and regions have become parties to the Convention and that the Agreement on the implementation of Part XI has 108 State parties. The Convention now provides an almost universal legal framework for ocean affairs, and the number of State parties continues to grow.

The Japanese Government ratified the Convention and the Agreement in 1996 and, as a country with one of the major exclusive economic zones, has faithfully implemented them. We would like to take this opportunity to stress the importance of harmonizing domestic legislation with the provisions of the Convention, with a view to ensuring its universality. Any declaration or statement that is not in line with the Convention should be withdrawn.

Let me now turn my attention to three organs established under the Convention, all of which Japan considers important. First, as one of the major countries engaged in developing mineral resources in the Area and as a member of the Council of the Authority, my Government has actively participated in the work of the International Seabed Authority.

Secondly, with regard to the International Tribunal for the Law of the Sea, since 1997, the year of the first case — the "Saiga" case — the Tribunal has ruled on 10 cases, and we greatly appreciate its activities. It should be noted that Judge Soji Yamamoto plays an important role on the Tribunal.

Thirdly, since its establishment, the Commission on the Limits of the Continental Shelf has been preparing, for instance by drafting the Scientific and Technical Guidelines, for the submission to be sent in by each State party with regard to the outer limits of its continental shelf. The Commission considered the first submission this year and adopted its recommendations on the matter. Japan, for its part, has been supporting the Commission's activities through the expertise of Professor Kensaku Tamaki as member; he was elected to the Commission in 2001, replacing Mr. Hamuro, who had served as a member since 1997.

Japan is committed to continuing its support of these organs. We would like to note that the Japanese Government, as the largest contributor, has been providing approximately one quarter of the budgets of the Authority and the Tribunal. We would like to thank all of the States which showed flexibility and cooperation at the Authority's Assembly session in August of this year in reducing the ceiling of the scale of assessments for the Authority's budget so that it is in line with that of the United Nations regular budget. Furthermore, my delegation would like to ask for the cooperation of every delegation in addressing the issue of the budget of the Tribunal. The Japanese delegation raised that issue at this year's meeting of the States parties of the United Nations Convention on the Law of the Sea (UNCLOS), and will take the initiative of doing so again at the next meeting of the States parties.

I should like now to touch on the marine environment. The arguments with respect to the global environment have progressed significantly since the adoption of the Convention. Indeed, the Earth Summit held in Rio de Janeiro in 1992 and the World Summit on Sustainable Development held in Johannesburg in 2002 focused world attention on issues affecting the global environment.

Surrounded by the sea on all sides, Japan considers the preservation of the marine environment to be extremely important and is committed to the prevention of marine pollution at the national, regional and international levels. As a State party not only to UNCLOS but also to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter and the International Convention for the Prevention of Pollution from Ships, Japan is committed to their effective implementation and strongly urges every country that has not yet done so to ratify them. The World Summit that was held in Johannesburg this year will, I believe, prove to be an important milestone in the preservation of the marine environment. My Government intends make substantive contributions at the global level.

As a responsible fishing State, Japan has been working earnestly to enhance the conservation and management, as well as the sustainable use, of living marine resources. The importance of long-term conservation and sustainable use of straddling fish stocks and highly migratory fish stocks cannot be overstated. We are committed to implementing measures necessary for the conservation and management of living marine resources in order to eliminate illegal, unreported and unregulated fisheries and thus conserve the marine ecosystem.

The world is plagued by the threat of piracy and armed robbery at sea. Over 200 incidents are reported annually; about 60 per cent of them occurred in the Asian region. The Japanese Government has been actively combating these illegal activities by organizing international conferences and seminars in order to strengthen regional cooperation, particularly in South-East Asia, with a view to suppressing and preventing these crimes.

With regard to paragraph 33 of draft resolution A/57/L.48, I am happy to mention that yesterday my Government signed the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime. This is part of the action that the Japanese Government is making to ensure maritime safety for international navigation.

The next area I wish to touch upon is marine science and technology. Oceans, which occupy 70 per cent of the world's surface, not only contain vast resources but also play an important role with respect to the global environment. Not all functions of the oceans, however, have been analysed by scientists yet. Research is, therefore, essential in such areas as climate change and natural disasters. This will require international cooperation and, in the best interests of humankind, the results of the research must be shared and made widely available. To that end, my Government is determined to cooperate with the research programmes promoted by such international organizations as the World Meteorological Organization, the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization and the United Nations Environmental Programme.

Lastly, I would like to express our appreciation to the Secretary-General and the Secretariat for all the work that went into the annual report of the Secretary-General (A/57/57), which describes the entire range of activities that have been conducted on ocean affairs and the law of the sea. I would like to reiterate that the open-ended informal consultative process, which was inaugurated in 2000, has been an important forum for promoting discussion of these matters. My delegation welcomes the decision to be taken at this session of the General Assembly to continue the consultative process for the next three years.

In conclusion, I would like to recall that, as the preamble of the Convention states, "the problems of ocean space are closely interrelated and need to be considered as a whole". Thus we must engage in comprehensive management of the natural riches that our oceans and seas contain. Every State must cooperate, both regionally and internationally, with a view to promoting the interests of future generations with regard to the sea. The United Nations Convention on the Law of the Sea has played a significant role in our efforts to that end, and I am certain that it will continue to do so in the future as well. I would like to assure the Assembly that my Government will contribute to the stability of the legal framework of ocean affairs and thereby to the promotion of the use of the seas by the international community, in accordance with the Convention.

Mr. Mahbubani (Singapore): It is depressing once again to be standing here addressing an empty Hall. In the General Assembly, that seems to be the norm nowadays. But I am consoled by the thought that, at yesterday's commemorative ceremony, we had a full house and full support. In that regard, I want to thank Ambassador Don MacKay of New Zealand for his leadership and his guidance, in his capacity as President of the Twelfth Meeting of States Parties to the United Nations Convention on the Law of the Sea, and to commend him and his team for the outstanding organization of yesterday's commemorative event.

Let me begin by thanking and commending the Secretary-General and his team of dedicated colleagues in the Division for Ocean Affairs and the Law of the Sea for their tremendous efforts in producing the well-written, comprehensive and valuable reports on matters relating to the oceans and the law of the sea (A/57/57 and Add.1, and A/57/459). The reports present a clear and concise record of all our efforts and of developments relating to the oceans and the law of the sea.

Today, we are marking the twentieth anniversary of the opening for signature of the 1982 United Nations Convention on the Law of the Sea (UNCLOS). That historic event 20 years ago marked the culmination of more than 24 years of hard work involving more than 150 countries to establish a comprehensive legal regime dealing with all matters relating to the law of the sea. The Convention entered into force on 16 November 1994. Its significance is far-reaching, and its accomplishments are impressive. I should like to mention just three of them.

First, UNCLOS is the first comprehensive convention that provides a legal framework governing

all aspects of the uses and the resources of the world's oceans and seas. But it is more than the mere codification of pre-existing law. UNCLOS contains many new and innovative concepts, including the right of transit passage through straits used for international navigation, archipelagic baselines, archipelagic sea lanes and exclusive economic zones. As several speakers pointed out yesterday at the ceremony, the Convention is truly a constitution for the oceans.

Secondly, the Convention has helped to promote peace and security as well as law and order in the ocean space by replacing a plethora of conflicting claims by coastal States with universally agreed limits for the territorial sea and other maritime zones.

Thirdly, and most important, the Convention represents the triumph of the rule of law. Indeed, it is one of the finest achievements of the United Nations. It is the first multilateral treaty that contains mandatory provisions for the settlement of disputes. To date, more than 140 parties, together with the European Community, have ratified or acceded to the treaty. Equally important, even those that are not yet parties to the treaty are abiding by it in practice. Those are impressive achievements; we should not take them for granted.

We have accomplished much in the past 20 years, but we continue to face many challenges. I would like to highlight just two of those challenges in my remarks today.

The first challenge is that the pollution, overexploitation, destruction and degradation of marine ecosystems continue to threaten the supply of precious ocean resources. The oceans and seas are the cradles and nurturers of life on this planet; without them, we would not be here. They are the main drivers of the Earth's life cycle; the transporters of heat, oxygen, nutrients, plants and animals around the globe; and the providers of food, minerals, metals and fossil fuel. According to some estimates, the combined value of ocean resources and uses is approximately $7 trillion annually. The World Bank has projected that, by 2008, some 4.5 billion people will live within 60 kilometres of the coasts. The consequent significant increase in population and in economic activities, including fish farming, oil and gas exploration and maritime traffic, has placed immense pressures and demands on the oceans and the seas, and indeed will continue to do so.

We can do better in our efforts to reverse the degradation of the marine ecosystem. Indeed, we must do better to ensure the long-term sustainability of marine resources. Sustainable development and protection of the marine environment require an understanding of all aspects of the oceans and the seas. Marine scientific research is thus an important element in the management of marine ecosystems. Concrete results will depend on capacity-building at both the national and the regional levels, and on the transfer of technology between developed and developing countries.

I would now like to turn to the second challenge: the need to ensure maritime safety and security. I am glad that Ambassador Motomura of Japan, who spoke immediately before me, also addressed that issue. As a maritime nation, Singapore takes a serious view of all potential threats to safe and free navigation. Piracy and armed robbery inflict economic costs on the shipping industry, threaten the security of coastal States and endanger the lives of seafarers. The 11 September 2001 attacks on the United States have added new dimensions to the dangers we face at sea. They have brought to the forefront the threat of terrorism on the high seas and the danger of terrorists linking up with pirates to attack ships in port. The international community must act in unison to combat such threats, both old and new, and to eradicate the scourge of terrorism. Commitment to multilateralism and to collaborative international action has never been more important.

In that regard, Singapore welcomes and supports the International Maritime Organization (IMO) initiative to review its measures and procedures aimed at preventing acts of terrorism at sea and at safeguarding shipping. For our part, we have assisted the IMO in hosting regional meetings to develop regional cooperative arrangements to deal with piracy and sea robberies in the Straits of Malacca and Singapore and in the South China Sea. We have also recently decided to accede to the 1988 Rome Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation. Currently, we are working on the enactment of the legislation necessary for our accession to that Convention.

I am also glad to share with the Assembly the fact that Singapore, on its own and together with its neighbours, has contributed significantly to ensuring that our region — in particular the Straits of Malacca and Singapore — remains safe and open to shipping. We have a long history of close cooperation with Indonesia and Malaysia in enhancing safe navigation in the Straits. For instance, the Indonesia-Singapore

Coordinated Patrols against sea robbery in the Singapore Straits have been successful in stemming unlawful acts in the Straits and have been cited by the IMO as a possible model for cooperation among enforcement agencies of various countries aimed at dealing with unlawful acts at sea. Our own national efforts to address the problem of sea robberies have also been successful, and we are pleased to report that, since 1990, there has not been a single sea robbery in our waters. But we cannot become complacent. Singapore will continue to work with its neighbours and other stakeholders to promote cooperative efforts to deal with threats to safe and free navigation in our region.

In conclusion, the ability of the international community to respond effectively to the many challenges in ocean and sea affairs is greatly dependent on our ability to cooperate and to work together. To quote Helen Keller, "Alone we can do so little; together we can do so much". Today, as we celebrate the twentieth anniversary of the opening for signature of the Convention, let us also renew our global commitment to work together in addressing the challenges ahead.

Mr. Mahendran (Sri Lanka): Yesterday, we participated in an impressive commemoration of the twentieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea.

We had the privilege of listening to several eloquent and inspiring statements by colleagues, on progress in the regulation of the uses of the oceans and their resources, brought about through the Law of the Sea Convention. With your permission, we would like to take a few minutes to speak briefly, perhaps for the benefit of some of our younger colleagues, of the outstanding contribution of some of our predecessors who worked towards development of the Convention, in particular the contribution of one of my distinguished predecessors, Ambassador Hamilton Shirley Amerasinghe, when he was Permanent Representative of Sri Lanka. Perhaps it is more appropriate than ever that I speak today, 10 December, since it was on that day 20 years ago that Sri Lanka signed the Final Act and the Convention that bring us together today.

Following the historic proposal by Malta's Permanent Representative, Ambassador Arvid Pardo, that the seabed beyond national jurisdiction should be declared the common heritage of mankind — a proposal that Sri Lanka co-sponsored when the General Assembly established an ad hoc committee to study that proposal, Ambassador Amerasinghe was elected Chairman of the committee, and presided over it commencing with its first meeting in Rio de Janeiro in 1967.

When the General Assembly established a regular committee to continue working on the subject, Ambassador Amerasinghe was, by acclamation, elected its Chairman. His leadership continued when the Committee was converted into a Preparatory Committee to organize a third Conference on the Law of the Sea, and when that Conference held its first organizational session in New York in 1973, Ambassador Amerasinghe was once again elected its President by acclamation.

From the commencement of work in 1967, until his untimely death in 1980, a period of some 13 critical years in the development of the modern law of the sea, Ambassador Amerasinghe guided the work of hundreds of participants, including legal, technical, scientific and naval experts. Although he was not an expert in any of those fields, Ambassador Amerasinghe contributed to the presidency of this conference, the largest of its kind at the time, a brilliant analytical mind, firmness combined with unimpeachable integrity, and an understanding of what it takes to make a good agreement. Out of a daunting array of disparate and often conflicting proposals before the Conference, he was able, with the cooperation of the delegations, a few of whom are here today, and later with the help of a collegium of his peers, consisting of the chairmen of the main committees, to forge successive drafts of a series of negotiating texts leading to a document that was to become the United Nations Convention on the Law of the Sea, signed at Montego Bay twenty years ago.

I would like to note, in addition, that while Ambassador Amerasinghe was engaged in this historic work, he was also called upon to carry a heavy burden in other committees.

The Conference and the United Nations itself were fortunate that, upon Ambassador Amerasinghe's death in 1980, the torch should pass to another outstanding diplomat, this time one who was also an outstanding legal scholar, Ambassador Tommy Koh of Singapore, to whom we warmly pay tribute today.

The Convention on the Law of the Sea is one of the major achievements of the United Nations, as has been repeatedly stressed. The Convention is a multilateral instrument that gives hope for the

promotion of the maintenance of peace and international security and establishes an equitable basis for the uses of the oceans and sharing of their resources.

We have before us three important draft resolutions, which my delegation is able to support. We see them as a further positive step in attaining consensus in dealing with the challenges of the oceans. The general resolution on "Oceans and the Law of the Sea" is of particular interest to us. We would like to express the hope that operative part VII of that resolution, on the work of the Commission on the Limits of the Continental Shelf, part X on capacity-building, part XI on the sustainable development of marine resources, part XIII on the Open-ended Informal Consultative Process, and part XVI on trust funds will move Member States to action in the areas of activity covered by them.

The Convention also recognizes the need to promote the development of marine science and technology and to facilitate the strengthening of those capacities among developing countries.

We consider important that capacity-building is addressed in the draft resolutions. We also strongly endorse the emphasis given to the protection and preservation of the marine environment, integrated management of the seas, and safeguarding of marine ecosystems.

We also welcome the recognition of the work and the need to extend the consultative process in complementing the work of the Meeting of the States Parties.

We note, Mr. President, the successful work carried out by the International Seabed Authority and the work it has accomplished in developing the rules and regulations of seabed mining.

We also note the continued contributions of the International Tribunal for the Law of the Sea in the interpretation and application of the Convention, and its expeditious procedures that have served well the need to deal with the prompt release of vessels and crews and requests for provisional measures submitted to it.

Sri Lanka has a special interest in the work of the Commission on the Limits of the Continental Shelf and is especially appreciative of the developments in that respect and the work being done by the Commission.

Many speakers have expressed the view that the Convention has proved to be substantially viable, has stood the test of time and has well served the needs and expectations of the international community, despite changes that have taken place over the course of its 20 years of existence.

We wish to pay tribute, not only to the framers of the Convention, but also to the Secretariat of the United Nations that has served the Convention on the Law of the Sea. Today, we express gratitude to the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs. We also thank the negotiators who have so successfully formulated the three draft resolutions before us today, which we support.

Mr. Manalo (Philippines): For many centuries the oceans have represented greatness and the virtues of strength. The breadth and depth of the oceans, both in terms of dimensions and resources, and their impact on human life and existence, overwhelm the imagination. The oceans cover almost 75 per cent of the surface of the Earth and comprise 90 per cent of its water resources. Over 90 per cent of all life makes the oceans home. The oceans have supported and given life and livelihood to man, both as a resource and as a tool for man's activities.

By the middle of the twentieth century, the then existing principles of international law began to show their inadequacy in guiding the use of the oceans. In 1970, the General Assembly declared that "the sea-bed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction ... as well as the resources of the area, are the common heritage of mankind". (*2749 (XXV)*)

In 1973, the Third United Nations Conference on the Law of the Sea was convened, thus beginning the decade-long efforts to establish a "constitution for the oceans". According to the General Assembly, the philosophical precept for a comprehensive legal framework for the oceans was rooted in the consciousness that the problems of ocean space are closely interrelated and need to be considered as a whole. By dint of the resolve of the people we honoured at yesterday's event, and of the more than 160 countries that participated in the negotiations, we now have the United Nations Convention on the Law of the Sea, a legal framework comprised of 320 articles and 9 annexes and governing all aspects of ocean space, including the exercise of sovereignty and jurisdiction of coastal States, the promotion of marine scientific research for economic and social

development, the protection and conservation of the marine environment and the settlement by peaceful means of disputes concerning ocean space.

Former Secretary-General Javier Perez de Cuellar pronounced 20 years ago that the Convention irrevocably transformed international law. Today, the Convention has attained a universal character, as almost all countries, including those that are not States parties, abide in practice by the principles enshrined in the Convention.

Indeed, there are ample reasons to celebrate the achievements of the past 20 years. But our celebrations must remain circumspect, tempered by the reality of the present, and mindful that daunting challenges loom in the future. Today's event — and yesterday's — must propel us to a higher level of vigilance to protect and preserve the maritime commons.

It may, therefore, be useful to consider the condition of the oceans in our region, Asia, to illustrate the great challenges facing the international community. The coastal ecosystems of Asia are damaged. In the last 30 years, a full two thirds of that period with the Convention in place, 11 per cent of coral reefs have collapsed, 48 per cent are in critical condition, while a total of 80 per cent are at risk. Mangroves, on the other hand, have lost 70 per cent of their cover in the last 70 years. Unless remedial measures and effective management are conducted to conserve these ecosystems, at the current rate of loss all mangroves would disappear by 2030 and coral reefs could suffer total collapse within 20 years. Fish production has also fallen in Asia. Peak production was reached in 1988 and 1991 in the Northwest Pacific Ocean and West Central and South-West Pacific Ocean, respectively. Data from these regions show that change in catch from peak year to 1992 ranged from 2 to 10 per cent. Open access and over-fishing have hastened the decline in fish production in Asia.

Growing population and increasing international trade have also affected ocean space. Again, the Asian region provides a clear illustration of this point. There are, today, a total of six coastal mega-cities in East Asia with more than 10 million people. It is predicted that this number would increase to eight by 2015. With the trend of urbanization at a high level, the populations of smaller coastal cities in Asia are experiencing rapid growth. The ever-enlarging and increasing number of population centres in coastal areas can adversely impact the health of the ocean space, ranging from increased pollution to the degradation and depletion of marine resources.

Trade in East Asia as a share of gross domestic product has been increasing rapidly. Concomitant to this growth in trade has been the proportionate growth in sea-borne trade, especially containerized trade. It is estimated that East Asian ports would handle around 50 per cent of the total volume of world containers by 2005. While generally considered as a boon to progress, the increase in worldwide sea-borne trade has an undesirable consequence — the growing incidence of oil spills and unmitigated waste dumping by transport vessels. According to some estimates, about 300 oil spills, with over 200 million gallons of oil, were spilled in the South-East Asian region since the mid-1960s. As recently as last week, the Maritime and Port Authority of Singapore reported that hundreds of tonnes of crude oil spilled into the sea 40 kilometres off Singapore when a freighter collided with an oil tanker. In Europe, the sinking some weeks ago of a tanker also caused a large oil spill, damaging the marine environment. In the next 20 years, international trade is anticipated to triple in volume, with 80 to 90 per cent of it carried through shipping.

Aside from these concerns, advances in technology also place enormous pressure on the effectiveness of the legal framework established in the Convention. New discoveries of micro-organisms, in view of enhanced capacities in scientific research in the oceans, could bring to the fore complex legal questions on ownership and the legal status of such discoveries. Advancing technology in the prospecting, exploration and exploitation of the maritime commons would also intensify demands to effectively manage these activities. These considerations would involve the complex intersection of economics, law and politics — a challenging scenario for the international community.

The depredations of man to attain illegal gain also pose a grave threat to the security and safety of the maritime commons. For centuries, the international community has been besieged in ocean space by organized crime and other illegal acts. Without sustained global attention and action to interdict acts of terrorism, piracy, smuggling of migrants, illicit traffic in narcotics, arms and other goods, as well as illegal fishing practices, the maritime commons would become highly unsuitable for the enjoyment of humankind.

Many of the problems being faced today, and in the future, by the international community in relation to ocean space transcend national boundaries. Threats against the oceans do not respect legal and political frontiers and limits. We all share a common heritage in the oceans. There would be no safe haven from the challenges we face without concerted efforts at the national, regional and global levels. It is beyond the capacity of any Government or nation to curtail all the perils against the maritime commons. International cooperation is needed to ensure the health, safety and security of the oceans.

More than three decades ago, our progenitors in the General Assembly found the resolve and political will to forge a comprehensive legal framework to save our oceans. It is through their persistence and commitment that we now have the United Nations Convention on the Law of the Sea. The Convention is one of the major accomplishments in international law in the twentieth century. It has served as, and will continue to be, the fulcrum on which to enjoy and preserve the oceans, through a comprehensive legal framework on all aspects of the ocean space.

Twenty years after the adoption of the Convention, our generation faces a set of new challenges in relation to the oceans. It is up to us to convert these challenges into opportunities by employing the "constitution for the oceans" to preserve our common heritage for our children and succeeding generations.

The Acting President: I now give the floor to the representative of Costa Rica, who will speak on behalf of the Rio Group.

Mr. Stagno (Costa Rica) (*spoke in Spanish*): I have the honour to speak on behalf of the 19 members of the Rio Group — Argentina, Bolivia, Brazil, Chile, Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Guyana, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, Venezuela, and, of course, my own country, Costa Rica.

The member countries of the Rio Group are pleased to be celebrating the twentieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea. The role of this legal instrument in regulating ocean affairs is of paramount importance.

The contributions that the countries of our region have made to the rules enshrined in this Convention are many. I wish to particularly emphasize the 1952 Santiago Declaration on the 200-mile maritime zone, signed by Peru, Chile and Ecuador, and subsequently by Colombia. That doctrine, which establishes economic sovereignty as well as sovereignty over the conservation of natural resources for 200 miles, was a worthy, visionary and progressive contribution to the formulation of the new law of the sea in that it generated a new legal doctrine that was subsequently endorsed — under the term "exclusive economic zone" — by the rest of the countries of the region, as well as the entire world.

The commemoration held yesterday emphasized not only the achievements made since the entry into force of the Convention, but also the challenges that we must still overcome in order to achieve its full implementation.

Oceans affairs are numerous, complex and interrelated. It is worth recalling the importance of issues related to fishing, the deterioration of the marine environment, land and vessel pollution, safety on the seas and marine science and technology in conserving the global ecosystem, the food security of the world's population and the well-being of all humankind.

The States members of the Rio Group note the progress achieved in the consolidation of the legal regime established by the Convention. We are convinced of the Convention's essential character in terms of activities related to oceans and seas. With respect to the 1995 Agreement on Straddling Fish Stocks and Highly Migratory Fish Stocks, the Rio Group recognizes the importance of reaffirming this Agreement in the draft resolution as well as the outcomes of the World Summit on Sustainable Development, recently held in Johannesburg, particularly the agreements on the conservation and organization of straddling fish stocks and highly migratory fish stocks.

However, we believe that the strictly political nature of those outcomes should not be overlooked, particularly paragraph 31 (e) of the Summit Plan of Implementation. That Plan cannot, under any circumstances, amend the norms of the Convention that attribute exclusively to coastal States the sovereign right to determine the permissible total catch in its exclusive economic zone. Therefore, we believe that reference to the outcomes of the Summit should be interpreted in such a way that it is compatible with the basic provisions of the Convention.

On the other hand, we wish to emphasize, in that context, the entry into force of the 1995 Agreement on

Straddling Fish Stocks and Highly Migratory Fish Stocks. We note with satisfaction the decision to begin in 2004 a comprehensive evaluation process of the marine environment. That initiative reflects the growing certainty about the integrated nature of ocean affairs and the urgency to understand in depth the dynamic of its interrelatedness.

We also emphasize the submission, to the International Seabed Authority, of the first reports of companies responsible for the prospecting and exploring for polymetallic nodules. In that context, we reiterate our conviction that it is necessary to continue the process of elaborating norms for the protection of the marine environment and the conservation of natural resources in the zone. We note with satisfaction the progress in the work of the Commission on the Limits of the Continental Shelf, and we congratulate the Russian Federation for presenting the first submission to set the outer limits of its shelf.

The States members of the Rio Group note with concern how indiscriminate fishing activities on the high seas affect adjacent jurisdictional zones, given that they deplete the natural resources in the zone and hinder conservation efforts.

We note with alarm the increase in illegal activities carried out at sea, including the illicit traffic in drugs, weapons, munitions and persons along maritime routes. The coordinated action of all nations at all levels is necessary to overcome this growing challenge.

Similarly, we are concerned by the maritime transport of radioactive material and harmful waste and the lack of adequate regulation providing sufficient guarantees to coastal States. We find of particular concern the use of the Pacific Ocean and the Caribbean Sea as transport routes for radioactive waste and call for strict compliance with the highest security standards and norms, as well as the improvement of existing norms.

The Rio Group welcomes the renewal of the mandate of the Second Open-ended Informal Consultative Process on Oceans. Renewal of that mandate responds to the contribution that that mechanism has already made for deeper and more effective coordination with regard to marine affairs. The deliberations carried out at the third meeting of the Consultative Process contributed particularly to the incorporation of an important chapter on oceans in the Johannesburg Plan, as well as the adoption of a goal to reduce over-fishing.

As to the next meeting of the Consultative Process, we believe that the items agreed to form a set of subjects of interest and immediate relevancy: the protection of vulnerable marine environments and navigational safety. We are also pleased that the item on technical capacity has already been incorporated. That item is a priority for developing countries. In that context, it is worth emphasizing the need to develop mechanisms and international cooperative programmes to promote the dissemination of marine science and technology to developing countries.

Aside from the renewal of the mandate of the Consultative Process, we believe it necessary to strengthen joint action within the framework of mechanisms envisaged by the United Nations Convention on the Law of the Sea.

The jurisdictional zones of several of the States members of the Rio Group include considerable areas of maritime spaces. Our geographic proximity and, in some cases maritime proximity, create a set of common interests. We believe that the best way to approach those common interests is through initiatives that promote regional and subregional cooperation for the integrated organization of coastal and ocean zones, the protection of vulnerable marine ecosystems and capacity-building for the coordination of all the aspects covered by the Convention, among others.

In that context, we note with satisfaction the fact that during the most recent meeting of the Consultative Process, as well as in the Secretary-General's report, the central role of regional cooperation in the orchestration of the Convention is recognized. For that reason, the Rio Group welcomes the inclusion in the draft resolution of a special section designed to document regional and subregional initiatives.

Finally, we wish to highlight the holding of the Caribbean Conference on Maritime Delimitation, held in Mexico City from 6 to 8 May 2002, which seeks to facilitate the holding of voluntary delimitation negotiations among the Caribbean nations.

Mr. Boisson (Monaco) (*spoke in French*): Throughout its history, the Principality of Monaco, whose maritime space has been important, particularly if compared to the small size of its territory, has always linked its fate to the sea, particularly since the establishment of the law of the sea in 1330 and two centuries later the right to cast anchor. Those rights guaranteed both freedom of navigation and assistance

and protection of seafarers and reliable shelter in the port of Hercules. Monaco has also been profoundly concerned with and involved in the lengthy and complex negotiations led only 20 years ago, on 10 December 1982 in Montego Bay, Jamaica, resulting in the adoption of the United Nations Convention on the Law of the Sea, which it signed on that same day along with 118 other delegations.

This is an opportunity to pay tribute to all the legal scholars who were involved in this lofty undertaking — those who are well known and those who are more obscure — and to express to them our gratitude for their contributions to the elaboration of this text of outstanding content and wide scope.

Although the Convention, which entered into force on 16 November 1994, is not yet universal, it now has 130 States parties. Therefore 10 December 1982 is a red-letter day not only for my country but also for the great majority of the countries represented today in this Hall. Be they large or small sea Powers, or even if they have no sea space at all, all of them recognize the appropriateness and the fundamental usefulness of this text, which brings together and harmonizes the customs and traditions of the past with today's requirements, including the most stringent economic ones.

Monaco feels that it is in perfect harmony with the provisions of this instrument, which have inspired many of its actions at both the national and international levels.

Monaco's code of the sea is an accurate reflection of the Convention's provisions. The delimitation in 1984 of its territorial waters and of the limits of the ocean areas beyond its territorial sea, over which, in accordance with international law, the Principality has sovereign rights, is also a result of that Convention.

Today it is beyond question that part II of the Convention, which deals with the territorial sea and the adjacent zone, has made a major contribution to the settlement of disputes among States — disputes that could have led to litigation or even to armed conflict.

The exclusive economic zone, to which part V of the Convention is devoted, reflects, given its innovative character, aspirations that early international law had not truly and clearly taken into account. The same could be said of part XI of the Convention the Agreement on its Implementation, which, as stated in its preamble, represents a major contribution to the maintenance of peace and to justice and progress for all peoples of the world.

The Principality of Monaco supports with conviction the fundamental principle — a wise and judicious one — that is formally reaffirmed in the Convention: that the deep seabed beyond the limits of national jurisdiction and the resources thereof are the common heritage of humankind.

In the same spirit, the Convention's provisions on the continental shelf and the creation of a Commission on the Limits of the Continental Shelf are of major importance in the strengthening of effective international cooperation in that area. The International Tribunal for the Law of Sea takes this same consideration into account, and we appreciate its efforts.

An area of the Convention to which His Serene Highness the Sovereign Prince and the highest authorities of Monaco attach particular importance is dealt with in part XII of the Convention, and here I am speaking of the protection and preservation of the marine environment. Such protection and preservation are a longstanding tradition in my country. We have always considered that one should study and carry out scientific research in this field, as stated, quite rightly, in part XIII of the Convention.

The pioneering work carried out in this field by Prince Albert I of Monaco, one of the founders of modern oceanography, is widely recognized. However, let us recall that this experienced and tireless navigator carried out, at the beginning of the last century, many successful scientific undertakings — often very difficult ones — in order to study phenomena that were not well known at the time, such as the sea currents and their influences, including their influence on the climate.

The Oceanographic Institute founded by Prince Albert I in Paris in 1906 and the Museum of Oceanography, inaugurated in Monaco in 1910, even today are tangible evidence of the pioneering work of the Prince and of his intimate involvement with the sea.

Let me recall also that two major international institutions are located in the Principality of Monaco. The first is the International Hydrographic Organization, established in 1922 as an intergovernmental office, whose work and initiatives in the area of marine cartography are well known and much appreciated by seafarers and navigators. The Institute has observer status in the General Assembly.

The second is the Marine Environment Laboratory, which opened its doors in 1961. It is an organ of the International Atomic Energy Agency (IAEA), entrusted with the study of radioactivity in the marine environment and equipped with an underground laboratory that was built to shield it from cosmic radiation.

Finally, it is important, in the same context, to note the establishment, on the initiative of His Serene Highness Prince Rainer III, of the Monaco Scientific Centre, whose primary work, for more than 40 years, has been related to the sea. In fact, its Secretary-General is a doctor of oceanography.

Among the research programmes promoted by Prince Rainier III — and one that is of the highest relevance in the struggle against the greenhouse effect — is the study of coral and its remarkable role in carbon fixation.

It has also become a tradition for the Principality of Monaco to work for the protection and the preservation of the marine environment. It was the first State to ratify the Protocol Concerning Cooperation in Preventing Pollution from Ships and, in Cases of Emergency, Combating Pollution of the Mediterranean Sea, adopted at Malta last January.

This new Protocol complements the agreements already reached between France, Italy and Monaco within the framework of the Ramogepol Plan, whose goal is to combat accidental pollution. Combating this type of pollution is more important now than ever. Indeed, we have been witness once again — this time in Spanish Galicia — to the irresponsibility of certain petroleum-product carriers, guided only by short-term profits. The Government of Monaco would like in this respect to express its sentiments of deep solidarity to the Spanish authorities and to the people who were so severely and unjustly affected by this ecological disaster.

My delegation is a co-sponsor of the three draft resolutions that the General Assembly will adopt at the end of this debate. It welcomes in particular the entry into force on 11 December 2001 of the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks.

Convinced that the problems of ocean space are closely interrelated and need to be considered as a whole, from an integrated, interdisciplinary and intersectorial perspective, the Principality of Monaco recognizes the importance of the Open-ended Informal Consultative Process on oceans and the law of the sea, and it unreservedly supports the establishment by 2004 of a process of analysis and evaluation, at the global level, of the state of the marine environment.

The renewal of the mandate of the Informal Consultative Process for a further three years is a very welcome recognition of the importance of the quality of the work carried out within that framework. The exchanges of views that take place in that context make it possible to better appreciate and coordinate the efforts of the various partners.

The themes on which the debate will focus in June 2003 are of great interest to my country. The strengthening of capacities for the production of nautical charts, including electronic charts, should be the focus of attention of Member States. The International Hydrographic Organization, to which I referred earlier, strikes us as being one of the institutions whose experience in the matter deserves to be shared.

Every year the responsibilities of the Division of Ocean Affairs and Law of the Sea of the United Nations increase. When preparing the biennial budget for 2004-2005, the States Members of the United Nations, which continue to rely on the competence and experience of the Division's officials, must take that fact into account. The quality of the information contained in the report of the Secretary-General, the integrated follow-up to the Convention and its related agreements and instruments, as well as the Johannesburg Summit depend on it to a very great extent. The Division is at the very heart of international coordination efforts. It must therefore be granted the human and financial resources that are essential to its work.

I should like to conclude by stressing the degree to which the United Nations Convention on the Law of the Sea has become an essential element of the body of international standard-setting instruments. Since its adoption 20 years ago and its entry into force less than 10 years ago, it has gained pivotal importance, both because of its great juridical quality and also because of the fact that it deals in depth and exhaustively with all the fundamental questions relating to the law of the sea. It is the flagship of an imposing fleet of international norms for which it acts as an invaluable reference — indeed, a steady helm.

Mr. Theron (Namibia): My delegation welcomes this opportunity to address the Assembly as we commemorate the twentieth anniversary of the adoption of the United Nations Convention on the Law of the Sea. Twenty years ago, in Montego Bay, Jamaica, the United Nations Convention on the Law of the Sea was adopted. It was a significant landmark in the history of evolution of international law, in particular the law of the sea. On that day, 119 States signed the Convention; today there are 142 States parties to it. Indeed, it is fast approaching universal participation. In addition, the institutions provided for in the Convention have been established and are performing their vital functions. These are the International Seabed Authority, which is preparing the ground for future activities in the area; the International Tribunal for the Law of the Sea, which adjudicates disputes; and the Commission on the Limits of the Continental Shelf, which is involved in determining the outer limits of the continental shelves beyond 200 nautical miles from baselines.

Together with the two implementing Agreements, the Convention sets out the legal framework within which all activity related to the oceans and seas must be carried out. Despite the presence of the legal framework, however, the challenges faced by the international community, especially in sustaining the health of the oceans, are formidable, as was recently reiterated at the World Summit for Sustainable Development, held in Johannesburg.

The need for sustainable development cannot be overemphasized, since the oceans and seas today provide a large percentage of the resources vital for the existence of humankind. However, in order for us to be successful, there is a need for capacity-building to ensure that all States, in particular developing countries, are able both to implement these instruments and to benefit from the sustainable development of the oceans and seas.

Namibia attaches great importance to the entry into force of the Agreement for the Implementation of the Provisions of the Convention on the Law of the Sea relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, which has the objective of ensuring the long-term conservation and sustainable use of such fish stocks. If we are to succeed in these goals, we must promote international cooperation as envisaged in the provisions of the Convention and of the Agreement, as well as in accordance with the provisions of the Code of Conduct for Responsible Fisheries of the Food and Agriculture Organization of the United Nations.

International cooperation should, inter alia, enhance the ability of developing States to conserve and manage such fish stocks through the implementation of part VII of the Agreement. The implementation of part VII of the Agreement is fundamental to developing countries if they are to meet their obligations and realize their rights under the Agreement. In this context, we support the call to establish a trust fund, within the United Nations system, dedicated to part VII, to support developing States parties.

Namibia also continues to support the efforts to curb large-scale drift-net fishing on the high seas. Namibia itself has banned drift-net fishing in its waters. We also believe that international cooperation to combat illegal, unreported and unregulated fishing should be strengthened. For our part, we have undertaken successful surveillance and enforcement measures to deter unauthorized fishing in our waters. We are committed to the conservation and management of fisheries in the area under our national jurisdiction and on the high seas.

In conclusion, it would be remiss of my delegation not to commend the Secretariat for the comprehensive and well-researched reports before us. Let me also reiterate that Namibia remains committed to the protection and preservation of the marine environment, as reflected in the United Nations Convention on the Law of the Sea and related instruments to which we are party. Namibia has therefore joined in sponsoring all three draft resolutions under the agenda item, "Oceans and the law of the sea".

Mr. Kuchinsky (Ukraine): This year's debate is especially notable, as it marks the twentieth anniversary of the opening for signature of the 1982 United Nations Convention on the Law of the Sea. This solemn occasion provides a good opportunity for us to reflect on the remarkable contribution the Convention has made to the conduct of international maritime relations.

Starting in 1973, the Conference on the Law of the Sea negotiated a global regime for the oceans so as to replace uncertainty and the risk of conflict with order, stability and the clarity of law. Together we have travelled a lengthy path through thousands of hours of negotiation and debate in order to shape a more

peaceful world in which universal and national interests are harmoniously combined. Today, everyone can see how far we have come, and everyone knows how indispensable that work has proved to be.

The Convention is a significant achievement by the international community and an important testimony to United Nations efforts to codify and develop the international law of the sea. Its importance is even more evident today. UNCLOS represents not only a charter within which all activities related to oceans and seas should be carried out, but also a basis for a comprehensive system of economic and political cooperation on marine-related matters.

The main framework for the new international order of the oceans was laid down in the Convention and in the agreement relating to the implementation of its Part XI, but only certain building blocks were set in place with regard to fisheries on the high seas. In that respect, we cannot fail to emphasize the paramount importance of the 1995 Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, which provides a framework for conservation and management of those stocks on the basis of the principle of responsible fishing on the high seas. As a country that is actively participating in international efforts to preserve the marine environment and to maintain and manage fish stocks, Ukraine notes with satisfaction the Agreement's entry into force.

The institutions established within the framework of the Convention — namely, the International Seabed Authority, the International Tribunal for the Law of the Sea and the Commission on the Limits of the Continental Shelf — are essential components of the global system for the rule of law on the oceans and of the maintenance of peace and security there.

We note with satisfaction the effective functioning of the International Seabed Authority. A very significant achievement in its work is that, after the conclusion of 15-year exploration contracts with the pioneer investors, the Authority has completed its first examination of the annual reports submitted by contractors. Ukraine welcomes the fact that the draft resolution to be adopted on oceans and the law of the sea (A/57/L.48) takes due note of the work done.

We reaffirm the importance of the International Tribunal for the Law of the Sea. It has played a crucial role in the process of interpretation and implementation of the 1982 Convention and of the Agreement. Since the Tribunal issued its first judgement, on 4 December 1997, it has decided 10 cases. My delegation is encouraged by the achievements of the Tribunal and hopes for new achievements in the future.

Great progress has been made by the Commission on the Limits of the Continental Shelf, which has received its first submission regarding the establishment of the outer limits of the continental shelf beyond 200 nautical miles, made by the Russian Federation. The beginning of the Commission's consideration of submissions by coastal States marks an important step towards full implementation of the Convention. At the same time, most developing countries face substantial difficulties in the process of preparing such submissions, primarily because of a lack of the necessary technical, scientific and financial resources. In referring to that issue, my delegation welcomes the provisions of the present resolution on the oceans and the law of the sea concerning assistance to coastal States in their efforts to comply with the provisions of article 76 of the Convention.

We also welcome the decision of the Twelfth Meeting of States Parties to the Convention to grant observer status to the Commission on the Limits of the Continental Shelf, which will help to establish the proper interrelationship among the States Parties Meeting and all three bodies established on the basis of the Convention — the Authority, the Tribunal and the Commission.

Despite considerable progress in the implementation of the legal regime established under the 1982 Convention, the state of the world's seas and oceans is, unfortunately, steadily deteriorating. Overexploitation of living marine resources as a result of excess fishing capacities continues to be of grave concern to the international community. That situation requires the international community to expedite the attainment of the remaining goals of Agenda 21, which was adopted 10 years ago at the United Nations Conference on Environment and Development. We emphasize the need to ensure effective coordination and cooperation with regard to integrated ocean management, in order to facilitate sustainable fisheries, to enhance maritime safety and to protect the marine environment from pollution. In that context, my

delegation notes with appreciation the Plan of Implementation of the recent World Summit on Sustainable Development, part IV of which envisioned a strategy for the future sustainable development of oceans.

As a geographically disadvantaged country bordering a sea that is poor in living resources and that suffers from the depletion of fish stocks in its Exclusive Economic Zone, Ukraine places a special emphasis on the problem of the prevalence of illegal, unregulated and unreported fisheries. We therefore strongly believe that all States should implement effective measures for the conservation, management and exploitation of fish stocks in order to protect living marine resources and to preserve the marine environment. That becomes even more important when one considers the fact that 90 per cent of the world's fisheries fall under the jurisdiction of coastal States. I should also like to underline the need for better international cooperation in that sphere, where crucial roles also belong to relevant regional organizations. In that connection, I should like to call upon regional fisheries organizations to enhance their cooperation with a larger number of States, in particular distant fishing States and geographically disadvantaged States.

My delegation attaches great importance to fisheries issues. I am pleased to inform the Assembly that, in November, the Verkhovna Rada — the Ukrainian Parliament — adopted a law on accession to the 1995 Agreement for the Implementation of the Provisions of the Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. Further practical steps to implement the provisions of the 1995 Agreement are planned, which will include, among others, the adoption of a number of Ukrainian normative legal documents designed to enhance the State's role in conducting ocean fishing and in increasing the responsibility of vessel owners. One of those acts will establish a regime for fishing by vessels flying the Ukrainian flag in waters beyond Ukraine's jurisdiction. Another will amend and supplement existing legislation in order to enhance the procedure for licensing fishing on the seas and oceans.

The General Assembly is in a unique position to take a comprehensive overview of the complex nature of ocean-related matters. In this connection I would like to underline the importance of the United Nations Open-ended Informal Consultative Process on Oceans and the Law of the Sea. We applaud the result-oriented and effective work of the three meetings held by the Consultative Process, which facilitated the General Assembly's annual review of developments in ocean affairs. Ukraine supports the continuation of the Consultative Process as an adequate forum for a substantial debate on ocean matters within the global perspective of the United Nations.

We would like to express our special appreciation to the Secretary-General for both the quality and scope of the comprehensive report under this agenda item. This report is not only a reflection of the basic principles of the United Nations Convention on the Law of the Sea (UNCLOS), it is in itself a powerful tool that facilitates international cooperation and coordination. The activities of the Division for Ocean Affairs and the Law of the Sea continue to be intense and worthy of our praise.

Finally, I would like to thank the coordinators for their tireless efforts in facilitating the negotiations on the draft resolutions to be adopted later today. They reflect the recent developments in maritime affairs as well as establish the agreed approaches for enhanced cooperation in the future.

Mr. Gopinathan (India): My delegation welcomes the comprehensive and informative reports of the Secretary-General under the agenda item on oceans and the law of the sea. We consider the initiative for the commemoration of the twentieth anniversary of the opening for signature of the 1982 United Nations Convention on the Law of the Sea to be most appropriate. My delegation attaches the highest importance to the strengthening and effective functioning of the institutions established under the Law of the Sea Convention. We will continue to extend our full cooperation to them and to participate actively and constructively in all activities pertaining to the Convention and related agreements.

The Convention sets out the legal framework within which all activities in the oceans and seas must be carried out. It is the first major multilateral treaty on the subject negotiated within the United Nations framework whose participants included a number of newly independent developing countries. India had participated actively in these negotiations. The Convention embodies several new concepts, such as the Common Heritage of Mankind and the Exclusive Economic Zone, which were previously unknown to the corpus of international law of the sea.

Over the years, the Convention has gained greater acceptance, even from non-parties. We are happy to note the increase in the number of States parties since the last session of the General Assembly. The Convention continues to advance steadily towards universal recognition and adherence.

The International Seabed Authority has adopted the Regulations for Prospecting and Exploration for Polymetallic Nodules in the International Seabed Area (the Mining Code), and has issued contracts to the pioneer investors. As a registered pioneer investor, India signed the contract with the Secretary-General of the Authority on 25 March 2002. The Authority has now taken up for consideration the question of regulations and procedures for prospecting and exploration for polymetallic sulphides and cobalt-rich crusts in the international seabed area.

We welcome the new members of the Commission on the Limits of the Continental Shelf and the beginning of the substantive phase of the Commission's work. We express satisfaction with the work of the Commission at its last session, during which it considered the submission by the Russian Federation of its extended continental shelf. As a State eligible to a continental shelf extending beyond 200 miles, under article 76 of the Convention, India is evaluating the data already available and is undertaking further necessary surveys in preparation for making its submission to the Commission.

The International Tribunal for the Law of the Sea has become a functioning judicial institution in the short span of six years since its establishment, and has already built a reputation among international lawyers as a modern court that can respond quickly. The Tribunal has already delivered judgements and orders in a number of cases which have dealt with a variety of issues involving the prompt release of vessels and crews and the prescription of legally-binding provisional measures, as well as procedural and substantive questions relating to the registration of vessels, genuine link, exhaustion of local remedies, hot pursuit, use of force and reparations.

We are happy to note that the Tribunal was in a position to deliver its judgements expeditiously in all these matters. The publications of the Tribunal, including *Basic Texts*, *Reports of Judgements Advisory Opinions and Orders*, and *Pleadings*, have been very useful in disseminating information about the Tribunal and its functioning.

It is a matter of serious concern that efforts to improve the conservation and management of the world's fisheries have been confronted by an increase in illegal, unregulated and unreported fishing activities on the high seas. These activities are in contravention of conservation and management measures adopted by regional fisheries organizations and arrangements. In areas under national jurisdiction, such activities violate the sovereign rights of coastal States to conserve and manage their marine living resources.

As a member of the Indian Ocean Tuna Commission and the Western Indian Ocean Tuna Organization, India is cooperating with other States in conservation and management measures for the fishery resources of the Indian Ocean region, in accordance with the Law of the Sea Convention. We welcome the entry into force of the 1995 Agreement on the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks. We are happy to inform the Assembly that the Government of India is taking steps, in accordance with its internal legal procedures, to become party to this Agreement.

The International Plan of Action adopted by the FAO Committee on Fisheries to address the phenomenon of illegal, unregulated and unreported fishing reaffirms the duties of flag States provided under existing international instruments. In addition, the Plan of Action provides for the right of port States to conduct investigations and to request information of foreign fishing vessels calling at their ports or offshore terminals, and to deny access to its port facilities if it has reasonable grounds to believe that the vessel is engaged in illegal, unregulated and unreported fishing.

We hope that the effective implementation of the 1995 Agreement and the FAO Plan of Action will help in reversing the trend of over-fishing in many areas and guarantee the enforcement of the rights of developing coastal States. Developing countries must also be provided with the necessary technical and financial support for capacity-building for the development of their fisheries.

We welcome the approach adopted at the World Summit on Sustainable Development on this matter, which focused on the need to eliminate subsidies that contribute to illegal unreported and unregulated fishing and also underscored the need for enabling the developing countries to create national, regional and subregional

capacities for infrastructure and integrated management and the sustainable use of fisheries.

A better understanding of the oceans through application of marine science and technology, and a more effective interface between scientific knowledge and decision-making, are central to the sustainable use and management of the oceans. Marine scientific research can lead to a better understanding and utilization of almost every aspect of the ocean and its resources, including fisheries, marine pollution and coastal zone management.

Accordingly, it is vital that developing countries have access to and share in the benefits of scientific knowledge on the oceans. Part XIII and XIV of the Convention relating to marine scientific research and transfer of marine technology, respectively, are of fundamental importance and need to be implemented fully. Scientific research in the maritime zones of a coastal State should, as provided in Part XIII, be conducted only with that State's prior approval and participation. Developing countries also need to be provided with the necessary assistance for capacity-building, as well as development of an information base and skills to manage the oceans for their economic development.

The increasing acts of piracy and armed robbery against ships pose a serious threat to the lives of seafarers, safety of navigation, protection of the marine environment and the security of coastal States, and they impact negatively on the entire maritime transport industry. This leads to higher costs for or even suspension of shipping services to high risk areas. We welcome the Code of Practice for the Investigation of the Crimes of Piracy and Armed Robbery against Ships adopted by twenty-second Assembly of the International Maritime Organization (IMO). We also support the IMO's efforts to promote regional cooperation to address this problem, and we have participated in many meetings and seminars organized by the IMO to enhance implementation of its guidelines on preventing such attacks.

The main problem areas identified by the IMO include resource constraints on law enforcement agencies, lack of communication and cooperation between the agencies involved, and lack of regional cooperation, in addition to the problems posed by prosecution. All these constraints need to be urgently and effectively addressed by giving higher national and international priority to efforts to eradicate these crimes.

The United Nations Convention on the Law of Sea recognizes that the problems of ocean space closely interrelated and need to be considered a whole. International cooperation and coordination the most effective means of putting this fundame principle into practice. Accordingly, one can overemphasize the need for coordinated efforts at national, regional and international levels to make most effective use of available resources and to av duplication and overlap. International cooperation build capacity in the developing countries by enhanc their resources and strengthening their means implementation through transfer of environment sound technologies is equally important.

With a view to promoting such coordination cooperation, both at the intergovernmental and in agency levels, and to facilitate its annual review ocean affairs in an effective and constructive man the General Assembly, in its resolution 54 established the open-ended informal consulta process. This process has provided an opportunity in-depth discussion on a number of topics. We beli that it is an important tool which has facilitated ann review by the Assembly of overall developments ocean affairs. We support the continuation of informal consultative process, but we wish emphasize that the informal nature of the process the original mandate on the basis of which it established should be maintained.

Mr. Hage (Canada): Anniversaries are a time celebrate, a time to look back at past accomplishme as well as an occasion to look to the future. For m of us in this great Hall, it is amazing how fast 20 ye have gone by. Indeed, for a number here today 20 ye is but a moment in the law of the sea. Some were h at the inception of the Third United Nati Conference on the Law of the Sea in 1973, and ind a few here today began with the United Nations Sea Committee in the 1960s. Law of the sea for them more than a United Nations conference; it wa vocation. At the signing ceremony for the Un Nations Convention on the Law of the Sea (UNCL 20 years ago, Canada's Minister for Foreign Affa Allan MacEachen, stated that the Convention "m stand as one of the greatest accomplishments of United Nations".

The architects of UNCLOS deserve applause their wisdom and hard work. In this respect, I wo like to recognize the contribution of Alan Bees

Canada's Ambassador to the law of the sea negotiations, who is with us here today. He is one of that select group who were present at the creation of the Law of the Sea Conference, and as Chair of the Conference Drafting Committee he ensured the precision and coherence of the Convention we celebrate today.

Like the oceans themselves, the rules and mechanisms by which we govern the oceans are dynamic. We know from our yearly discussions on the law of the sea resolution that the Law of the Sea Convention has not resolved all the problems of man's use of the seas. In the past 20 years, the bright prospects for what seemed to be an abundant supply of fish have turned dim as fish stocks around the world have collapsed, including groundfish stocks off the Atlantic coast and salmon off the Pacific coast of Canada. The sinking of the tanker *Prestige* last month off the coast of Spain has brought home once again the realization that our use of the ocean highway can lead to environmental tragedy.

In the area of fisheries, I think it fair to say no one expected the Law of the Sea Convention to be a panacea for all the world's fishing problems. However, the Convention has demonstrated resilience in serving as a basis for necessary conservation and management measures. Canada was one of a core group of States that pursued the need for an agreement to supplement UNCLOS in order to manage straddling fish stocks. Some people say that the title of the resulting instrument in 1995 is an agreement with 63 words in it. This is a bit of an exaggeration. It is "Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks".

The United Nations Fish Stocks Agreement is a significant achievement, and we all welcomed its entry into force last year. The wide adoption and effective implementation of that Agreement is key to achieving sustainable management of the world's fisheries. In this regard, the work of regional fisheries management organizations is crucial. There are problem signs already. The Convention for the Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Ocean was one of the first fisheries conventions to be negotiated after the adoption of the United Nations Fish Stocks Agreement. It embodies many of its principles and provisions.

We are also pleased by the continuing attention being paid by the Food and Agriculture Organization and other United Nations bodies, regional institutions and individual States to illegal, unreported and unregulated (IUU) fishing. IUU fishing cuts at the core of global and regional efforts to attain sustainable management of fish stocks. I would like to pay tribute to the Spanish Government for organizing the recent conference on IUU fishing, which made a valuable contribution in the search for solutions. Charting a way forward to minimize IUU fishing remains a challenge, one which will and can be met within the Law of the Sea Convention.

The elaboration of the United Nations Fish Stocks Agreement within that framework demonstrated an essential strength of UNCLOS. It is a structure capable of further development, one showing great foresight on the part of the law of the sea architects. There are additional areas, such as marine pollution, where the international framework is not as well developed as it could be in light of new and growing menaces to the life of the world's oceans. What is needed in these instances might well be an elaboration of law of the sea provisions in the same way as that for the United Nations Fish Stocks Agreement.

I should emphasize, however, that our own experience has shown us that no number of international instruments will be able to deal effectively with the challenges posed by our competing use of the seas, unless these agreements are implemented and complied with. The political will to comply is an essential ingredient.

One way of addressing these challenges is through the Open-ended Informal Consultative Process on Oceans. These open-ended consultations have proven to be a very useful part of the international oceans architecture. By bringing together a broad range of governmental and non-governmental stakeholders to focus on oceans issues, the process serves a unique and essential function: to find the best and most creative ways to coordinate and cooperate in the management of the world's oceans. We are very encouraged by the decision to continue with the consultative process for the next three years. Let us put it to good use.

I said at the beginning of my remarks that anniversaries are also a time to remember. Every delegation will have names of those who have passed away — as we heard the other day in the cases of

Austria and Germany. Elizabeth Mann Borgese of Canada, who died this year, was along with Arvid Pardo, the father of the Conference, one of the founders of Pacem in Maribus, peace on the oceans. She was fond of saying that she had always looked at the sea as a laboratory in the making of a new world order. I believe we are all privileged to be part of that laboratory. Let us celebrate both the commitment of States and the remarkable individuals they sent to negotiate our constitution of the oceans. Happy twentieth anniversary, UNCLOS!

Mr. Wang Yingfan (China) (*spoke in Chinese*): On the occasion of the commemoration of the twentieth anniversary of the opening for signature of the 1982 United Nations Convention on the Law of the Sea (UNCLOS), the Chinese delegation would like to warmly congratulate, and pay tribute to, those who contributed to the negotiations and the signing of UNCLOS.

UNCLOS, signed 20 years ago, to meet humankind's needs in marine exploration, utilization and protection, with its provisions for ocean affairs, constitutes a basic legal framework for humankind's maritime activities and a new international maritime order. We are pleased to note that, with 141 countries having ratified and acceded to the Convention, its universality has been enhanced. We hope that more countries will accede to the Convention. We are also grateful to see that the three organs established under the Convention have registered remarkable progress in their work. The International Tribunal for the Law of the Sea has effectively and expeditiously handled several cases submitted it. The Commission on the Limits of the Continental Shelf has received its first submission with regard to the outer limits of the continental shelf beyond 200 nautical miles. And following the signing of contracts for exploration with seven initial investors, the International Seabed Authority has initiated work on the formulation of regulations for the prospecting and exploration of maritime resources other than polymetallic nodules, and it has stepped up maritime scientific research in the international seabed area. We support a greater role for these three organs in promoting the implementation of the Convention and in maintaining international maritime order.

The Chinese Government attaches great importance to the role of the Convention. We are of the view that discussing questions relating to the Convention in the framework of the United Nations is essential for the Convention's implementation. The United Nations Open-ended Informal Consultative Process is a result of countries' universal concern over questions, such as marine environment protection, integrated ocean management and sustainable utilization of marine resources. The Informal Consultative Process has become an important forum for all countries, including non-States parties to the Convention, to discuss and coordinate their actions on questions related to ocean affairs and the law of the sea. At the third meeting of the Informal Consultative Process last April, an in-depth discussion was held on issues, such as integrated ocean management, marine environment protection, capacity-building and regional cooperation. We welcome the positive results of the meeting. The Chinese Government supports the strengthening of integrated ocean management, which should be focused at the current stage on enhancing integrated coastal area management. We propose that the General Assembly further stress the importance of integrated marine management and urge all coastal States to take effective measures in this regard. At the same time, the General Assembly should also call on countries to redouble their efforts to protect the marine environment and to incorporate this question into their national strategies for sustainable development. In this context, it is important to strengthen the developing countries' capacity-building in maritime activities, especially their maritime monitoring capacity, so that they can implement the Convention and benefit from it. In addition, the developed countries should increase assistance and technology transfers to the developing countries, so as to encourage the latter to formulate their own plans for the development of marine science and technology.

The Informal Consultative Process has held three meetings so far. It is the view of this delegation that the process has basically served its intended purpose. Therefore, we propose that on this basis, a coordination network for ocean affairs and the law of the sea be established, with the General Assembly as its centre. Its task is to continue the consideration of the functions of relevant international organizations with respect to issues concerning the law of the sea, while focusing its work on strengthening cooperation and coordination among the organizations on ocean affairs.

The Chinese delegation believes that the entry into force of the 1995 Fish Stocks Agreement last December is help to regulate fishing on the high seas.

However, regional efforts actually hold the key to the implementation of the agreement. By taking part in the regional fishing management mechanisms and in the formulation of measures for regional fishing management, countries can resolve their differences within regional mechanisms. At the same time, in full recognition of the difficulties and special needs faced by the developing countries in implementing the Convention, the developed countries should provide them with all necessary assistance and facilities, with a view to enhancing their capability to implement the agreements and manage their fishing activities.

The Chinese delegation notes that questions such as large-scale pelagic drift-net fishing, unauthorized fishing in zones of national jurisdiction and on the high seas, by-catch and discards and other developments are giving rise to universal concerns. China, a developing country with a large population, has an increasing domestic demand for fishery products. Therefore, the Chinese Government attaches great importance to the sustainable utilization of fishing resources. The conservation and rational use of marine living resources and the sustainable development of fishery have been our basic policies in the development of fishery. The Chinese Government has taken a series of effective steps in the conservation and management of fishing resources, which have contributed to the conservation of fishing resources in areas under our national jurisdiction. China supports greater efforts in fishing management on a fair and equitable basis in order to achieve the sustainable development of fishing worldwide.

Oceans, which cover 70 per cent of the earth's surface, are closely linked to the survival and development of countries of the world, especially the coastal States. In the context of the further development of economic globalization, it is crucial to enhance cooperation and coordination among countries and international organizations in dealing with ocean affairs. The Chinese Government is ready to act in the spirit of the Convention, to honour the commitments it has entered into and to make unremitting efforts for the implementation of the Convention and the development of the law of the sea.

Mr. Paolillo (Uruguay) (*spoke in Spanish*): In the preamble of the United Nations Convention on the Law of the Sea there is a brief yet accurate definition of the purposes sought by the international community in establishing a new legal order for the oceans that

> "will facilitate international communication, and will promote the peaceful use of the seas and oceans, the equitable and efficient utilization of their resources, the conservation of their living resources, and the study, protection and preservation of the marine environment". (United Nations Convention on the Law of the Sea, Preamble)

Twenty years after its adoption and eight years after its entry into force, I think it is right to ask ourselves whether the Convention has achieved these goals. The excellent reports on oceans and the law of the sea that the Secretary-General has been submitting to the General-Assembly in recent years and for which we would very much like to thank the Division for Ocean Affairs and the Law of the Sea, help us answer that question. These reports provide us with a complete picture — sometimes a disturbing one — of the situation of the oceans and seas of the world.

There is no doubt that some of the goals have been achieved. The Convention has put an end to the anarchy that had prevailed in the oceans in previous decades resulting from the many claims of States that wished to extend their sovereignty over adjacent maritime spaces along their coasts. The Convention took a great stride forward in promoting peace and security on the seas. It also laid down criteria for determining the external limits of maritime areas under national jurisdiction. It averted States from getting involved in a race to colonize international seabeds and established the legal framework in which the exploitation of those resources could be carried out in an orderly fashion on the basis of the common heritage of mankind. It laid down rules that reconcile the interests of coastal States with those of navigation and trade in an equitable way. It also set up a highly developed system for the settlement of disputes related to the law of the sea.

Furthermore, it set up institutions that are working effectively and satisfactorily. Some States have requested the International Tribunal on the Law of the Sea to settle disputes peacefully and the Tribunal has handed down decisions with all due expediency. The International Seabed Authority has awarded several contracts for the exploration of the zone after having approved the appropriate work plans. The Commission on the Limits of the Continental Shelf has received the first requests for extensions beyond the 200-mile limit and continues to provide assistance so that State parties can comply with their obligations

under article 76 of the Convention. We would like to sincerely congratulate and thank the authorities of those three institutions.

Despite this undeniable progress, the oceans continue to be the locus for multifaceted drama. Many of the problems that existed before the adoption of the Convention have yet to be resolved and others have become worse. There are still territorial conflicts that are a constant threat to international security. The ocean space continues to be seriously threatened by increasing pollution. The catastrophe along the coast of northern Spain and its adjacent maritime waters, and possibly the maritime regions of Portugal, is just one more episode in the destructive process that has been produced by human activity in the seas and has increased over recent decades. Information provided by the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP) and the Global Conference on Oceans and Coasts at the Rio+10 Conference is truly alarming, especially when they list the effects of pollution, including massive contamination of broad ocean spaces, the decline and even disappearance of some species, the destruction of stands of mangroves and coral reefs, increasing eutrophication and climatic changes.

The entry into force of the 1995 Agreement on Straddling and Highly Migratory Fish Stocks and the recent reduction of large-scale pelagic drift-net fishing activities have all been positive signs. But illegal, undeclared and unregulated fishing continues to have a strong adverse effect on attempts to preserve and ensure sustainable use of the living resources of the sea. The authors of the Convention had not foreseen the rise and scope of crime on the oceans and seas of today.

The international community must deal with these critical situations as a matter of urgency with a view to halting the deterioration of the marine environment, the exhaustion of living resources and the increasing insecurity. But the production of new instruments and new rules is not the answer — at least not a sufficient one. This situation should not be attributed to gaps or inadequacies in the new law of the sea. The Convention, together with other international instruments, whether binding or not, provides a legal framework that is sufficiently complete to enable peaceful utilization and sustainable development of ocean spaces and their resources. Obligations under the existing new legal order should be complied with. In certain sectors new standards could be established and existing ones updated, but in truth there are no great gaps in the law of the sea. The many instruments that exist must be ratified and implemented effectively.

It has been said repeatedly that there is a difference between the large-scale development of the law of the sea at the regulatory level and the unsatisfactory development at the implementation level. This leads us to the unavoidable conclusion that the main job in future is not to produce more international instruments but rather to find ways and means to encourage the international community to comply with the obligations flowing from existing international norms. In this connection, as in so many other areas of international cooperation, States have only gone halfway towards solving the problems that we all share. They enter into commitments, then they find that they cannot or do not wish to implement them or only implement them partially.

It is timely that draft resolution A/57/L.48 reiterates the appeal to States to become parties to the Convention, harmonize their national legislation with the provisions therein, ensure that they are implemented properly, improve implementation of international agreements and promote conditions that will ensure the implementation of voluntary instruments.

It is clear that the failure of States to comply is not due in many cases to the lack of political will, but rather to a lack of information, of trained personnel, of equipment, the absence or weakness of national institutions or insufficient national legislation. This is why we have noted with satisfaction that the draft resolution recognizes that developing countries, generally speaking, are at a disadvantage in terms of complying with the obligations emanating from the new Law of the Sea. We see that several operative paragraphs, all of which are in part X of the draft resolution (A/57/L.48/Rev.1), contain recommendations to enhance capacity, particularly that of developing countries, so that they will be in a position to apply the Convention and benefit from a sustainable utilization of oceans and seas.

The fundamental task ahead of us is to ensure that we can enhance the level of implementation of the Convention, in compliance with its obligations and those of its complementary instruments, inter alia, by increasing and streamlining assistance to developing countries that need it. This task cannot wait.

In our celebration of the twentieth anniversary of the opening for signature of the Convention, we can

recall that in 1967, when delivering the address that began the process that would culminate many years later in the adoption of the Convention, the Ambassador of Malta, Arvid Pardo, called upon nations of the world to keep their eyes open to the dangers that threatened devastation of the oceans. That was 35 years ago. Thirty-five years later, the dangers remain. It is time for us to open our eyes before it is too late.

Mr. Slade (Samoa): I have the honour to speak on behalf of the 37 member countries of the Alliance of Small Island States (AOSIS) that are represented in the United Nations.

Islands inhabit the oceans, both being integral parts of a single environment exerting vital influence one upon the other. It is the ocean that shapes people, their traditions and culture; it is the ocean that promises opportunities for the future.

We take seriously the fact that our communities are acknowledged custodians of large areas of the world's oceans and seas. Islands have a high share of globally vital biodiversity, now increasingly under pressure; and our countries are at the forefront in the struggle against climate change. These factors point to a complicated web of local and global issues and the obvious need to take an integrated approach in dealing with them.

They are the factors that colour our perception of the equities, obligations and responsibilities of nations for the oceans and its resources. They are the reasons that determine our concern for the order, peace and security of the oceans.

We want to thank the President of the Meeting of States Parties, Ambassador Don MacKay of New Zealand, and his high-level committee for the splendid events begun yesterday to mark the twentieth anniversary of the United Nations Convention on the Law of the Sea (UNCLOS).

The occasion is one of celebration. It is one also of reflection — on the contributions made in the development of the Convention; and of the achievements and challenges in two decades of experience. We need also to look ahead towards the next decade and beyond, and move to address the most pressing issues now affecting our oceans.

Let it be recalled that the Convention is the Convention of Montego Bay — the fact that it was proclaimed in Jamaica is testimony to the importance that all island States place on the Convention. Indeed, it is a fitting tribute to Jamaica and to the very significant contribution that nation has made to the development of the Convention that Jamaica is home to the International Seabed Authority.

Small island States participated actively in the negotiations of the Convention. One can point to the provisions on the regime of islands, as one can to other provisions in the Convention, as among the several areas to which island delegations have made important and substantive contributions.

The countries of our Alliance feel especially honoured and proud to recall the historic and rightly celebrated roles played by Professor Arvid Pardo of Malta and by Ambassador Tommy Koh of Singapore — and by other distinguished statesmen and personalities of island States. Many, like Judge Dolliver Nelson of Grenada, President of the International Tribunal for the Law of the Sea; Ambassador Satya Nandan of Fiji, Secretary-General of the International Seabed Authority; Judge Lennox Ballah of Trinidad and Tobago; and Judge Jose Luis Jesus of Cape Verde, continue the fine tradition of distinguished service and contribution.

More generally, we celebrate UNCLOS for what it is — a monumental global achievement — in its vision, innovation and ambition. The Convention has withstood the challenges and stresses of the past 20 years and remains the cornerstone of order, peace and security in the oceans. The Convention is about the importance and the credibility of the United Nations itself, for it stands as a reaffirmation of the principles of the Organization.

Bearing in mind the recent ratifications, including that of our sister State Tuvalu, we note with satisfaction that the Convention is now near universal in its acceptance by the international community, and we look forward to the day when it truly is.

The Convention sets the legal order and the framework; it is both comprehensive and integrated, and provides for a sound and balanced basis for national, regional and global efforts. We all need to ensure that it is made fully effective through uniform implementation and in a manner that preserves its integrity and character.

The Convention occupies a central place in the development aspirations of small island developing

States. The regime of the exclusive economic zone, in particular, is a major reservoir of resources and opportunities. The challenge for our countries, and no doubt for others, is to overcome the capacity and the technological constraints that prevent our communities from fully and effectively utilizing this area.

The provisions for the regime of islands had an important bearing in the recognition in Agenda 21 of the intrinsic link between oceans and island States. Chapter 17 of Agenda 21 gave international acknowledgement of the "special case" for small island developing States. This has been the backbone of the Barbados Programme of Action for the sustainable development of all small islands.

More recently, at the World Summit on Sustainable Development in Johannesburg, international agreement was reached on a range of commitments and timetables, among others, to maintain or restore depleted fish stocks and to reduce over-fishing, and for the application of the ecosystem approach for the sustainable development of the oceans. There was also agreement on the need for coordinated implementation of the various conventions, treaties and agreements dealing with marine biodiversity, pollution, scientific research and the safety and protection of the marine environment.

These are matters that fall within the ambit of the Convention and are in line with its provisions. We would underscore the need to ensure a connection between the legal dimensions of rights and obligations set out under the Convention, and the substantive programmatic dimensions with regard to the sustainable development provided for in Agenda 21, and now in the Johannesburg plan of implementation. In that respect, our countries welcome the steps outlined in draft resolution A/57/L.48 on oceans and the law of the sea and in the two fisheries draft resolutions, A/57/L.49 and A/57/L.50, towards implementing the Plan of Johannesburg. We appreciate in particular the call made in the draft resolution on the oceans to halt the loss of marine biodiversity and the emphasis placed on integrated regional approaches to oceans issues.

The vastness and complexity of the oceans pose real problems of implementation for all countries. That is certainly the case with island countries, especially because of the absence of skills and resources. Ensuring a broad range of capacity-building activities remains a high priority for all small island developing countries.

I should say, though, that we are making every effort to cope. Regional mechanisms and approaches developed over the past 20 years have yielded useful and positive results in all our regions. These are practical measures of cooperation and are possibly the only realistic options available to small countries such as ours. In many instances, as with the Caribbean Community (CARICOM) Regional Fisheries Mechanism and the recently developed Pacific regional oceans policy, countries of the region are themselves taking the initiative. We thank our development partners and the international community for their assistance and support, and we invite their continuing engagement.

The marine and coastal areas are among the most essential to human life; they are also the most threatened by pollution. Healthy marine and coastal systems are absolute prerequisites for the sustainability of island countries. We place the highest priority on this issue, and we will continue to press our interests and concerns, including through the Global Plan of Action for the Protection of the Marine Environment from Land-based Activities and the work of the Open-ended Informal Consultative Process on oceans and the law of the sea.

The countries of our alliance welcomed the establishment of the Consultative Process, and we have given it every possible support. It has been a privilege for me personally to have played a part in co-chairing the Consultative Process in its first three meetings to date. As would be apparent from the reports of the Consultative Process to the General Assembly, the latest of which is contained in document A/57/80, we believe that this has been a most useful and positive development in reviewing and evaluating the implementation of the Convention, and our group is very pleased that the work and contribution of the Consultative Process has been recognized and that it is to be continued.

Activities pertaining to the oceans and the law of the sea in the past 20 years have been so wide-ranging that it would have been nearly impossible to keep an informed perspective of developments without the Secretary-General's annual report. It is a report of quality, skilfully assembled, its coverage and the efforts to make it as current as possible being quite outstanding. We extend to the Secretary-General, to Mrs. Annick de Marffy in particular, and to all our colleagues in the Division for Ocean Affairs and the Law of the Sea our highest appreciation and compliments.

Mr. Bocalandro (Argentina) (*spoke in Spanish*): The Argentine Republic is very pleased to be participating in this commemoration. The United Nations Convention on the Law of the Sea (UNCLOS) has been a source of benefits and challenges for Argentina. The establishment of its sovereign rights over the natural resources in its exclusive economic zone and its continental shelf has led to enhanced well-being for its inhabitants and positive expectations for future generations.

Argentina has more than 4,834 kilometres of coastline, an exclusive economic zone of more than 1.5 million square kilometres and probably more than 2 million square kilometres of continental shelf. The expanse of those maritime spaces and the fact that Argentina, Brazil and Uruguay are the coastal countries of the South-West Atlantic, pose challenges that my country assumes responsibly, applying international law along with domestic norms that are in keeping with it.

Argentina has adopted, inter alia, the law on baselines and maritime spaces, the federal fishing regime, the law on scientific and technical research in jurisdictional waters, the regime on the collection of living marine resources in the area of implementation of the Convention for the Conservation of Antarctic Marine Living Resources, the law on the prohibition of cetacean hunting and the law on the establishment of the Commission on the Outer Limits of the Continental Shelf.

We have made great progress in delimiting the outer limits of the continental shelf. This work is being carried out under our national Commission for the Outer Limits of the Continental Shelf. The extension of the deadline for submissions to the UNCLOS Commission on the Limits of the Continental Shelf has facilitated the work of countries facing financial or technical difficulties with such delimitation.

We value the activities of the Food and Agriculture Organization of the United Nations in the area of fishing. We participated in the drafting of the Code on Responsible Fisheries and of the Plans of Action, particularly that with regard to illegal, unreported and unregulated fishing. We hope that, soon, the 1995 Implementation Agreement will enter into force, to which we are a party, thus facilitating a better definition of the duties of flag States, transparency in the management of high seas fishing and the fight against double registry. Argentina takes an active part in the work of the International Whaling Commission. Articles 65 and 120 of the Convention on the Law of the Sea provide the framework for acknowledging its competence.

Since it ratified the Convention, Argentina has stressed the need to better regulate maritime transport of radioactive material. The norms and recommendations of the International Maritime Organization (IMO) and the International Atomic Energy Agency have constituted significant progress in that regulation. However, new threats call for continuing the drafting of norms for the security of that type of transport.

There are new international realities that we must face. In that regard, we join those who believe it is necessary to reconsider the scope of some norms of the law of the sea in order to confront international terrorism. In that regard, the IMO is moving towards a better understanding and greater control of States over the operators of their flag vessels and towards updating the authority of port States.

We have also ratified the additional Protocol of the United Nations Convention against Transnational Organized Crime against the smuggling of migrants. We also underscore the cooperation norms of the 1988 United Nations Convention against the Illicit Traffic in Narcotic Drugs, which supplement those in the Convention on the Law of the Sea.

The 1982 Convention stipulates that there should be cooperation on the suppression of piracy. If it were necessary to further clarify that obligation, it would be necessary to negotiate new rules in order to avoid anomalous or extensive interpretations of international law.

Argentina has significantly increased its knowledge of its maritime spaces and has facilitated scientific research programmes by third States. The Convention has definitely contributed to that development. We stress the valuable role played by the Intergovernmental Oceanographic Commission in that matter.

The tendency to favour operational oceanography — a concept that is not included in the Convention and which includes oceanographic activities essentially aimed at compiling information in real time for the provision of services such as weather and marine forecasts — requires measures to channel activities that provide adequate participation for coastal States, in conformity with international law.

We note that the mechanism for the transfer of maritime technology set out in part XIV has not been implemented. This issue has become particularly sensitive in recent years, in view of the renewed interest in the effects of climatic, oceanic and coastal processes on life on earth.

The adoption by the Authority of the Mining Code was a key step. The Authority must continue to work to elaborate environmental norms and recommendations for the parties. Environmental guidelines are an initial step towards a system of regulations that would take shape gradually as knowledge of the zone increases. We reiterate our support for the Authority and urge States to contribute to its work.

We believe that the Meeting of States Parties to the Convention is the appropriate forum for its interpretation and the consideration of its functioning and implementation. To claim that the Meeting is purely administrative in nature does not take into account the sovereign character of the parties nor the scope of their responsibilities. We must preserve the integrity of the Convention, and its parties must be very careful not to attempt to rewrite it following that Meeting.

The General Assembly has established the Open-ended Informal Consultative Process as a forum whose members can suggest particular issues that should be addressed by the specialized agencies of the system. Argentina has supported this process and will continue to do so.

The Secretary-General considers that the United Nations Secretariat has become a kind of de facto secretariat for the Convention. We welcome this development if it involves the centralization of activities. However, such a function cannot and should not include any assessment of the harmonization of national norms with the Convention on the Law of the Sea. Such an assessment is the responsibility of States, which have not delegated it, except as stipulated in part XV of the Convention.

The specialized agencies should not have their own agendas in dealing with issues related to the law of the sea. We must avoid any thematic autarchy on the part of agencies, which could lead to problematic situations affecting all Members. It is particularly difficult for those countries that do not have sufficient resources to deal with "itinerant negotiations" of ocean issues. The most important meetings must be held at the headquarters of agencies, where specialists are located.

We are aware of the increasing importance of the work of the non-governmental organizations in the formulation of proposals on ocean-related issues. Argentina wishes to maintain a productive dialogue with them.

We commend the work of the International Tribunal for the Law of the Sea, a juridical body that is gaining increasing importance as a mechanism for the resolution of controversies with particular competence in areas regulated by the Convention.

Finally, the 1982 Convention entrusted the Commission on the Limits of the Continental Shelf with a very sensitive mandate. This role is of major importance and requires maximum efficiency, scientific rigour and transparency in the Commission's decisions and deliberations. Likewise, the presence of Argentine experts in the Tribunal, the Commission on the Limits of the Continental Shelf, and the Legal and Technical Commission of the International Seabed Authority is clear evidence of our commitment to the bodies created by the Convention.

We pay tribute to the negotiators of the Third Conference on the Law of the Sea. That process will be go down as one of the most complex negotiations in the history of contemporary international relations. Its successful outcome was achieved through the efforts of persons whose wisdom made it possible to strike the delicate balance of interests emanating from that Convention. We hope that this example will be followed in other areas of international law which could also benefit from such wisdom.

Ms. Taylor Roberts (Jamaica): I have the honour to make this statement on behalf of the 14 member States of the Caribbean Community (CARICOM) that are Members of the United Nations, on this, the twentieth anniversary of the opening for signature of the United Nations Convention on the Law of the Sea.

CARICOM member States also wish to associate themselves with the statement made by the Permanent Representative of Samoa on behalf of the Alliance of Small Island States.

For Jamaica, this occasion has special significance. It was in Montego Bay, on Jamaica's North Coast, where, after many years of debate and spirited discussions, the Convention was finally opened for signature in 1982.

CARICOM States wish to pay special tribute to Malta, a fellow small island State, and in particular to

the late Ambassador of Malta to the United Nations, Mr. Arvid Pardo, to whom we must give credit for the emergence of the concept that saw the ocean and its resources beyond the limits of national jurisdiction become the common heritage of mankind. We must also pay tribute to some of the eminent persons from the Caribbean Community — Judge Lennox Ballah of Trinidad and Tobago; Judge Doliver Nelson of Grenada; Mr. Kenneth Rattray and Judge Patrick Robinson of Jamaica; and the late Judge Edward Laing of Belize — for their important contribution to the Convention's development.

CARICOM member States welcome this opportunity to underscore the importance of the Convention, which provides the overall legal framework for ocean activities. Twenty years later, UNCLOS remains the signal expression of the international community's commitment to the effective management and protection of the resources of the world's oceans and seas. The Convention seeks to ensure equity and justice in the exploitation of this shared patrimony.

In thanking the Secretary-General for his report to the fifty-seventh session of the General Assembly, we wish to commend the Division for Ocean Affairs and the Law of the Sea for its excellent work in coordinating and monitoring the many and varied activities relating to the use of the oceans and seas. We note with satisfaction the fact that the three institutions created by the Convention are carrying out their mandate effectively.

The International Seabed Authority, having developed rules and regulations for the exploration of polymetallic nodules in the Area, has now issued contracts for exploration of these minerals. We look forward to the time when there will be commercial exploitation of such minerals. In addition, the Authority has begun to examine the feasibility of exploration of other minerals in the Area. The International Seabed Authority must further be commended for the number of training programmes on the technical and scientific aspects of deep-sea mining which it has organized.

The resort by States parties to the International Tribunal for the Law of the Sea for the settlement of disputes, since it was constituted in 1986, is an indication of the importance which States parties attach to the Tribunal and to the development of the jurisprudence of this institution.

The work of the Commission on the Limits of the Continental Shelf in developing guidelines for countries wishing to make claims in respect of the outer limits of the maritime zone under national jurisdiction has been extremely useful. We give our full support to the Commission as it deliberates on the first submission, made by Russia, for an extended continental shelf.

For CARICOM countries, the effective implementation of UNCLOS and the related agreements is constrained by scarce resources and limited capacity. As indicated in the Secretary-General's report, this challenge is faced by other States. Such factors have had an adverse impact on their ability to effectively implement, and thus benefit from, the provisions of the Convention.

In forums where issues concerning the oceans and seas are discussed, there are frequent calls for countries to accede to or ratify the Convention. CARICOM countries have heeded these calls and all 14 member States have made it a priority to ratify the Convention. In fact, in the wider Caribbean and Latin American region, we can claim over 80 per cent ratification.

Despite the resource constraints, CARICOM countries have made encouraging progress in their efforts at sustainable management and use of the ocean's resources. These efforts have been complemented by support from countries such as Canada, Japan, Norway and the United States and European Union countries, as well as from international agencies, including the International Maritime Organization, the Food and Agriculture Organization of the United Nations, the United Nations Development Programme, the United Nations Environment Programme (UNEP) and the United Nations Educational, Scientific and Cultural Organization.

We share the view expressed by the AOSIS Chairman that the regional approach can be an effective tool in promoting cooperation and encouraging implementation. In this regard, we would like to mention some of the regional instruments, such as the Caribbean Regional Fisheries Mechanism, which was established to assist CARICOM countries in their efforts to achieve the sustainable management and development of fishery resources.

Caribbean countries have agreed to collaborate in the implementation of a system of port State control to ensure that sub-standard shipping is eradicated from

the region. We are aware that problems of open registry and illegal, unreported and unregulated fishing also affect some countries in the region and will therefore require our attention.

There is also an important need for new approaches to marine science, technology and fisheries management systems, which are more appropriate to small island developing States and developing countries in general. This issue needs to be addressed meaningfully within the context of the implementation of the Convention.

Article 123 of the Convention outlines the duties of States bordering enclosed or semi-enclosed seas. In order give effect to this provision, CARICOM States have taken steps to develop regional initiatives for the protection of the marine environment. UNEP, through its Regional Seas Programme, assisted Caribbean countries during the process of the development of the Protocol to the Cartagena Convention concerning the protection of the marine environment from pollution from land-based sources and activities. The Protocol has established a number of principal and priority actions necessary to improve the marine areas of the wider Caribbean region. These relate to areas such as domestic sewerage, oil refineries, food processing and chemical industries.

The International Maritime Organization continues to support the efforts of Caribbean countries to develop and upgrade their national maritime administrations, for which CARICOM countries express appreciation. These programmes will assist us to implement the treaties and instruments dealing with maritime safety, the protection of the environment and the facilitation of international maritime traffic.

The Caribbean Community Climate Change Centre, established as a legal entity by CARICOM heads of Government, has as its overall objective the support of CARICOM countries' efforts to cope with the adverse effects of global climate change, in particular sea-level rise in coastal areas.

CARICOM Governments would like to commend Mexico for organizing, in May 2002, the Conference on Maritime Delimitation in the Caribbean to facilitate negotiations on maritime boundary delimitation in the region. The areas within the jurisdiction of many CARICOM States are characterized by overlapping claims, and the successful conclusion of negotiations will have a positive impact on the management and economic use of the marine resources. The involvement in this initiative of the Division for Ocean Affairs and the Law of the Sea must also be commended.

The inadequacy of the protection offered to en route coastal States by existing regulations governing the transport of hazardous wastes continues to be of major concern to CARICOM countries. We wish to reiterate our profound concern about the use of the Caribbean Sea as a trans-shipment route for such hazardous substances, given the semi-enclosed nature of the sea and the potentially devastating long-term consequences of any accident involving such dangerous cargo. We should recall that CARICOM member States rely to a large extent on the surrounding sea as a major contributor to their economies, including fishing and tourism. Efforts must therefore continue in the appropriate forums to address this issue.

The Caribbean countries, in conformity with UNCLOS, are developing an integrated management approach to the Caribbean Sea in the context of sustainable development. It is our view that the Caribbean Sea and its fragile ecosystems can no longer sustain the immensity of the demands placed upon them without a holistic and integrated management approach. It is expected that the working group established under the auspices of the Association of Caribbean States will compile a report on its efforts to implement the initiative, and this will be made available to the General Assembly at its fifty-ninth session in 2004.

The Open-ended Informal Consultative Process on Oceans and the Law of the Sea, which was undertaken during the past three years, proved to be an effective vehicle for affording the international community the opportunity for more focused consideration and discussion of several key issues relating to oceans and seas. We therefore support the continuation of the process over the next three years. CARICOM member States also take this opportunity to commend the Co-Chairmen of the process — Ambassador Slade, Permanent Representative of Samoa, and Mr. Alan Simcock of the United Kingdom — for the efficient way in which they conducted the work of the sessions.

There is no doubt that the United Nations Convention on the Law of the Sea provides a sound basis for the sustainable management and use of the ocean and its resources. The Convention is a key

element in facilitating cooperation between countries and contributes to the advancement of peace and security. These goals, however, can be fully achieved only if there is universal acceptance of the Convention.

Mr. Sun Joun-yung (Republic of Korea): On behalf of the Government of the Republic of Korea, I would like to express my appreciation to Ambassador Don MacKay and the high-level committee, and all those who contributed to the success of this commemorative twentieth anniversary meeting of the opening for signature of the United Nations Convention on the Law of the Sea. Our gratitude also goes to the Secretary-General and to the staff of the Division for Ocean Affairs and the Law of the Sea for their report on oceans and the law of the sea (A/57/57 and Add.1).

The 1982 United Nations Convention on the Law of the Sea (UNCLOS) and the Agreement relating to the Implementation of Part XI of the Convention constitute essential instruments of the law of the sea that govern the new maritime order for the international community. With its entry into force, on 16 November 1994, UNCLOS virtually became the Magna Carta of the oceans. My delegation is pleased to note that 138 countries have become States parties to UNCLOS and that the Agreement relating to the Implementation of Part XI of the Convention now has 108 States Parties. Indeed, the world is entering the era of a new maritime order based on near-universal adherence to the United Nations Convention on the Law of the Sea.

The Convention contributes significantly to the maintenance and strengthening of international peace and security, as well as to the sustainable use and development of the seas and their resources. In order to ensure the development of a stable and peaceful maritime order, the Convention's universal acceptance and its uniform and consistent application are essential. Therefore, my delegation appeals to those countries that have not yet done so to become parties to the Convention as well as to the Agreement as soon as possible.

The Twelfth Meeting of States Parties to the Convention, held in April this year, discussed the matter of strengthening its role, which is currently limited to administrative and financial topics. While understanding the view of some States that — owing to the lack of specific provisions in the Convention — the Meeting is not a suitable forum for discussing substantive matters, my delegation supports strengthening the Meeting's role by way of discussing substantive matters. The Meeting is the supreme forum created by the Convention, and it is our view that the lack of specific provisions does not mean that substantive matters cannot be deliberated at the Meeting. We have seen similar cases of other international organizations that have devised and assumed new roles and functions as a result of the will of States parties.

My delegation believes that cooperation among neighbouring coastal States is indispensable for the effective management of the sea under the Convention. Since the Convention entered into force in 1994, a new maritime order has been emerging in North-East Asia. We are pleased to note that the three littoral States in North-East Asia — China, Japan and the Republic of Korea — have concluded a trilateral fisheries agreement, leaving the final delimitation of the Exclusive Economic Zone pending among themselves. In recognition of the growing importance of maritime delimitation, negotiations are currently under way with neighbouring States in the region on the Zone's boundary delimitation.

In conclusion, my delegation would like to emphasize the importance of UNCLOS and of cooperative relations among States parties to the Convention. To ensure the peaceful use of the oceans and marine resources and their conservation for future generations, the cooperation of the international community is also important. As a peninsula, Korea has traditionally been highly dependent on marine living resources and on maritime transportation, and it has made earnest efforts to enhance ocean management in accordance with the provisions of the Convention. I should like to reiterate my Government's commitment to the promotion of an orderly and stable regime of the oceans in the spirit of the mutual understanding and cooperation that form the basis of the Convention.

Mr. Ishmael (Guyana): First of all, I want to associate my delegation with the statement made earlier by Jamaica on behalf of the delegations of the Caribbean Community. It is a great honour for my delegation to participate in this special meeting of the General Assembly to commemorate the twentieth anniversary of the opening for signature of the Law of the Sea Convention.

The history of the settlement and development of Guyana is linked strongly to the Atlantic Ocean. Guyana

has a total area of approximately 216,000 square kilometres and a population of approximately 700,000 people, most of whom live in the alluvial coastal belt. The coastal plain, covering an area of some 5,000 square kilometres, is approximately 1.3 metres below high-tide level and supports more than 80 per cent of the country's population and the major economic activities.

The integrated management and wise use of the oceans and of the coastal zone are therefore of critical importance to Guyana's development. We have taken steps to develop our capacity for the management of our marine biodiversity and coastal resources through the establishment of the Environmental Protection Agency in 1996 and the strengthening of the Fisheries Department of the Ministry of Fisheries, Crops and Livestock. The Guyana Environmental Protection Agency recognizes the high global biodiversity value of the coastal zone in Guyana and the importance of the development of those resources, which are fundamental to the country's future.

The Convention on the Law of the Sea is of special significance to Guyana. International waters constitute a major area of focus and are covered by a range of conventions, treaties and agreements. The Convention, which entered into force in November 1994, sets out a legal framework within which all activities on the oceans and seas should be undertaken. The Convention is enhanced and reinforced by a network of global and regional agreements concerning seas, pollution, wetlands, protected areas, fisheries, hazardous substances, biodiversity and climate change, among other matters. The recognition of its universal importance cannot be overemphasized, and the Government of Guyana welcomes the increasing number of States parties ratifying the Convention. We call on all Member States to fully join the Convention on the Law of the Sea.

The 1998 report of the Independent World Commission on the Oceans pointed out that life on our planet is heavily dependent upon the oceans. The report further indicated that the traditional view of oceans as a source of wealth and abundance is mistaken and that the fundamental challenge to be addressed is their vulnerability and scarcity as a resource. In the current global drive to eliminate malnutrition, hunger and poverty, the importance of water as a primary and global resource was recognized by the international community at the recently concluded World Summit on Sustainable Development, held at Johannesburg, South Africa. The degradation of the quality of transboundary water resources, physical habitat, coastal and near-shore marine areas and watercourses, and excessive exploitation of biological and non-biological resources must be urgently addressed. In addition, the Secretary-General's comprehensive report, contained in document A/57/57, and the publication of the Convention's secretariat, "Oceans: the Source of Life", highlighted many of the problems which have preoccupied the negotiators over the past 24 years and which still require urgent attention. These problems include pollution from ships, ocean dumping, piracy and armed robberies, drug trafficking and human smuggling.

These issues pose complex developmental challenges for small open economies like ours in the Caribbean, and transcend national boundaries. With respect to countries with adjacent coastlines, where maritime boundaries are still not settled, serious thought must be given, pending mutually agreed settlements, to the establishment of joint maritime development zones, to garner the existing resources of the continental shelf. However, this matter must be addressed holistically, in a balanced perspective that ensures peace, stability and the promotion of sound economic growth and sustainable development for the countries involved.

We recognize that oceans are not homogeneous water masses; significant diversity arising from the ocean water currents, the extent of the shelf, dynamics of the shore, banks, reefs and estuaries affect the challenges of the sustainable ocean and coastal development.

The Government of Guyana recognizes that scientific advances and technological development will continue to open untapped potential for the use of coastal offshore and exclusive economic zones, and deep ocean areas. To address these needs and the challenges of the vulnerability of ocean resources, developing countries, particularly small States and the least developed countries, require new resources to enhance their capacity to manage the existing level of development in a well-integrated manner. This will enable developing countries to pursue opportunities for economic development of the coast and oceans, while protecting their ecological integrity and biodiversity.

The Convention on the Law of the Sea has played a major role in streamlining the short and long-term developmental goals at the national and regional levels

through the establishment of clear objectives, principles and frameworks that produce concrete results based on expert advice for effective management and decision-making.

The Convention has produced a number of important and valuable innovations, the most valuable of which being the exclusive economic zone which provides coastal States with everything of value in the water column and the subsoil. This is certainly conducive to a more equitable distribution of marine resources worldwide, and is especially welcomed by developing countries which can now enlist these resources in the cause of enhancing the quality of life of their people, instead of seeing them monopolized by a handful of long distance fishing fleets profiting from a constricted territorial sea.

There is provision in the Convention for the ultimate authoritative demarcation of the continental shelf beyond 200 nautical miles — a functioning committee, using the most sophisticated and relevant scientific criteria, dedicated to determining appropriate demarcations and thereby preventing serious disputes that might otherwise arise.

We must not lose sight of the efforts of Ambassador Arvid Pardo of Malta, who conceived the concept of the common heritage of mankind, consisting of mineral resources beyond the limits of national jurisdictions, the benefits of which will, in time, accrue to the economies of developing countries.

Finally, Guyana has high praise for the International Tribunal for the Law of the Sea and the jurisdiction that has been accorded it, believing that this will serve both to facilitate marine development and contribute to the maintenance of international peace and security by resolving conflicts between States that fall within its competence.

In closing I would remind this august assemblage that Guyana, as one of the earliest ratifiers of the United Nations Convention on the Law of the Sea, takes great delight in these proceedings, confident that the road ahead will bring us to a full realization of all of the constructive possibilities inherent in the Convention for the benefit of humankind everywhere.

The meeting rose at 6.10 p.m.

United Nations A/57/PV.73

General Assembly

Fifty-seventh session

Official Records

73rd plenary meeting
Wednesday, 11 December 2002, 10 a.m.
New York

President: Mr. Kavan ..... (Czech Republic)

In the absence of the President, Mr. Mamba (Swaziland), Vice-President, took the Chair.

The meeting was called to order at 10.10 a.m.

Agenda item 3 (*continued*)

Credentials of representatives to the fifty-seventh session of the General Assembly

Report of the Credentials Committee (A/57/634)

The Acting President: The draft resolution recommended by the Credentials Committee in paragraph 11 of its report reads as follows:

"The General Assembly,

"Having considered the report of the Credentials Committee and the recommendation contained therein,

"Approves the report of the Credentials Committee."

We shall now take action on the recommendation of the Credentials Committee set forth in paragraph 11 of its report.

The Credentials Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 57/114).

The Acting President: I now call on the representative of the Islamic Republic of Iran, who wishes to speak in explanation of position on the resolution just adopted. May I remind delegations that explanations of position are limited to 10 minutes and should be made by delegations from their seats.

Mr. Hamzehei (Islamic Republic of Iran): My delegation would like to express its reservations on those parts of the report of the Credentials Committee contained in document A/57/634 which may be construed as recognition of Israel.

The Acting President: We have heard the only speaker in explanation of position.

The General Assembly has thus concluded this stage of its consideration of agenda item 3.

Agenda item 19

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples on its work during 2002 (A/57/23 (Part I, Part II and Add.1 and Part III))

Reports of the Secretary-General (A/57/73, A/57/206)

Draft resolutions (A/57/23 (Part III), Chapter XIII, Section G, para. 7; A/57/L.52)

The Acting President: I call on the Rapporteur of the Special Committee, Mr. Fayssal Mekdad of the

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A. Corrections will be issued after the end of the session in a consolidated corrigendum.

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Syrian Arab Republic, to introduce the Committee's report.

Mr. Mekdad (Syrian Arab Republic), Rapporteur of the Special Committee: As the General Assembly begins its consideration of the question of implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, I have the honour to present the report of the Special Committee on decolonization on its activities during 2002.

The report is contained in document A/57/23 and consists of three parts. Part I of the report provides information on the history, organization and various aspects of the work of the Committee. It describes the matters on the Committee's agenda and its interaction with other United Nations bodies, as well as with intergovernmental, non-governmental and regional organizations. Part I also provides a review of the work of the Committee during the reporting period. I would like to draw the attention of the Assembly to section J, in particular, which contains the projections for future work of the Committee in 2003, subject to the approval of this body.

Part II of the report presents detailed information on the activities of the Committee with respect to the items on its agenda. It gives an account of its deliberations on such issues as the dissemination of information on decolonization, the question of sending visiting missions to the Territories, economic and other activities that affect the interests of the peoples of the Non-Self-Governing Territories, military activities carried out by the administering Powers in the Territories; the implementation of the Declaration by the specialized agencies and international institutions; and information transmitted under Article 73 (e) of the United Nations Charter. In addition, that part of the report includes a brief summary of the Special Committee's deliberations related to the 16 remaining Non-Self-Governing Territories.

Part III of the report contains the recommendations of the Committee, in the form of draft resolutions.

The year under review was marked by a significant and outstanding event for the Special Committee on Decolonization and, indeed, for the United Nations. One of the Non-Self-Governing Territories, namely, East Timor, became an independent State. On 1 May 2002, the General Assembly, by resolution 56/282, decided to remove East Timor from the United Nations list of Non-Self-Governing Territories, upon its accession to independence. In September 2002, Timor-Leste joined the United Nations family as a new Member of the Organization. I take this opportunity to reiterate our warm congratulations to the Government and the people of Timor-Leste.

During the period under review, the Special Committee continued to work within the framework of the Second International Decade for the Eradication of Colonialism and its Plan of Action. The Committee focused its efforts on two main areas: the continued review of the developments in the remaining Non-Self-Governing Territories and the development of programmes of work for specific Territories. Regarding information on the Territories, the Committee benefited considerably from the participation of the representatives of the Non-Self-Governing Territories and experts in its work.

Regarding the development of programmes of work, the Committee continued to emphasize the need for constructive cooperation with the administering Powers for the successful completion of the decolonization process in all the Territories. The report of the Committee indicates that France participated in the work of the Committee during its consideration of the question of New Caledonia, while the delegations of the United Kingdom and the United States continued informal consultations with the Committee. The Special Committee is determined to intensify its efforts and to work with the administering Powers towards the development of work programmes for specific Territories under their administration.

Nowhere has that cooperation been more productive than in the case of Tokelau, where the representatives of the administering Power, New Zealand, alongside Tokelau, have had fruitful discussions that have allowed us to achieve further progress in formulating the work programme for the Territory's decolonization. The meetings among the three parties, held in New York in 2001 and 2002, improved understanding of the tasks at hand. As a further development, in August 2002 a visiting mission of the Committee travelled to Tokelau. Once again, we should like to express our gratitude and appreciation to the Government of New Zealand and to the United Nations Development Programme, which organized and facilitated the mission.

The annex to Chapter II of Part I of the report contains information concerning the Pacific Regional Seminar held by the Committee in Fiji in May 2002. The participants in this year's Seminar included the delegation of the Special Committee; the United Kingdom, France and New Zealand, as administering Powers; other United Nations Member States; representatives of the Territories; and non-governmental and regional organizations, as well as experts. The Seminar provided a unique opportunity for direct interaction and exchange of views between Committee members and representatives of the Territories. It generated a fruitful and constructive discussion on political, economic and social issues. Its conclusions and recommendations represent an invaluable contribution to the future work of the Committee.

As I noted earlier, during the past year, the Committee continued to consider the information transmitted under Article 73 (e) of the Charter by the administering Powers. With respect to economic activities affecting the interests of the peoples of the Territories, the Special Committee reaffirmed the legitimate right of the peoples of the Territories to their natural resources. On the issue of military activities and arrangements by colonial Powers in the Territories, the Committee called on the administering Powers not to involve the Territories in any offensive acts or interference directed against other States. The Committee also considered the activities of the specialized agencies and of other international organizations in Non-Self-Governing Territories. The Special Committee reiterated the importance of the dissemination of information on decolonization and noted with appreciation the new brochure on decolonization produced in 2002 by the Department of Public Information in cooperation with the Department of Political Affairs.

The Committee has continued to devote special attention to political, economic and social issues related to the small island Territories. It has followed the situation in American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, the Turks and Caicos Islands and the United States Virgin Islands, as well as Tokelau and New Caledonia. The report also reflects the Special Committee's consideration of the question of the Falkland Islands (Malvinas), Gibraltar, the question of Western Sahara and the decision concerning Puerto Rico. The Special Committee's consideration of the developments in the Non-Self-Governing Territories has been facilitated by the working papers on each Territory prepared by the Secretariat.

In conclusion, I should like to express the gratitude of the Special Committee to the Secretary-General, Mr. Kofi Annan, for his unconditional support of the Special Committee's efforts aimed at the eradication of colonialism. I should also like to highlight with appreciation the substantive political support and advice provided by the Department of Political Affairs, whose input has been invaluable in the work of the Committee and in the implementation of its mandate. I should also like to refer to the excellent technical Secretariat services provided by the Department for General Assembly and Conference Management.

The Acting President: I now call on the Vice-Chairman of the Special Committee, Mr. Bernard Tanoh-Boutchoué of Côte d'Ivoire, to introduce draft resolution A/57/L.52 on behalf of the Chairman of the Special Committee.

Mr. Tanoh-Boutchoué (Côte d'Ivoire) (*spoke in French*): I have the great honour, in my capacity as interim Chairman of the Special Committee, to address the General Assembly as it considers the question of the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. The Rapporteur, Mr. Fayssal Mekdad, has just presented to Members the report of the Special Committee (A/57/23).

On behalf of the Chairman of the Committee, who unfortunately was unable to be here today, I should like to present a few points regarding the activities carried out by the Committee during the past year, to introduce the draft resolution now before the Assembly (A/57/L.52) and to give Members an idea of the challenges that we shall all have to address together.

As the Assembly is aware, despite the progress achieved since 1960, when the Declaration was adopted, the decolonization process continues because it has not yet attained all its goals. Two years ago, the Second International Decade for the Eradication of Colonialism began, and 16 Non-Self-Governing Territories remain on the United Nations list. Over the course of the year, in accordance with our mandate, we

analysed the information that we had received from the administering Powers, in conformity with Article 73 (e) of the Charter, and the working papers drawn up by the Secretariat on each of the Territories. We also studied the statements made by the representatives of the Territories, by various officials, by petitioners and by non-governmental organizations. In June, at the end of its session, the Committee adopted a draft decision and nine draft resolutions by consensus. It also unanimously adopted a draft resolution on Puerto Rico.

In parallel with that work, we have constantly stressed the need to work together with the Economic and Social Council. In that regard, the Council adopted a draft resolution last June on the implementation of the Declaration by the specialized agencies. In May 2002 in Fiji, the Special Committee held its regional seminar for the Pacific region. This was its opportunity to communicate with the representatives and the people of the Territories, and also to answer questions regarding its work. In particular, we stressed the Committee's desire to urge the administering Powers to develop decolonization plans in the form of special work programmes for each Territory. We also emphasized the fact that throughout the process we considered the opinions of the people of the Territories.

Clearly, in order to make progress in carrying out its mandate, the Special Committee needs to be able to count on unreserved cooperation from the administering Powers. With this in mind, we should emphasize that in 2002 we were able to benefit from the constructive cooperation of New Zealand, which I will mention again later on.

France also participated in our seminar. The United Kingdom and the United States attended some meetings informally and I would like to emphasize that the United Kingdom attended our regional seminar for the second year in a row. Our work relations with all of the administering Powers will, we hope, strengthen next year, so that we will be able to make constructive progress in our consideration of the needs and aspirations of the peoples of the Territories.

In this connection, a good example of what can be achieved when a constructive dialogue is created with an administering Power is provided by the work relations we have been cultivating with New Zealand regarding the future of Tokelau. This year, in 2002, we have continued to work side by side with the representatives of New Zealand and Tokelau in order to move forward with the work programme that is to lead to the decolonization of the Territory.

Last summer, the chairman of the Special Committee made a visit at the invitation of the authorities of New Zealand and Tokelau. The report of this mission, which just appeared in document A/AC.109/2002/31, shows quite clearly that there is nothing more useful for our work than direct knowledge of what is happening in a Territory.

Moreover, through its presence alone, the Visiting Mission of the United Nations to the Non-Self-Governing Territory of Tokelau and New Zealand has had a positive effect on the decolonization process by giving rise to a lively debate between the three parties.

As the report of the Mission indicates, Tokelau and New Zealand maintain constructive relations and are making resolute progress towards the expansion of the autonomy of the Territory, while maintaining the quality of the public administration and the vitality of the economic development of the Territory. The result of the meetings in Wellington, devoted to setting a framework for the relations between the two countries, will be decisive from the standpoint of items still pending, for example, the circumstances in which New Zealand will provide administrative and economic assistance to the Territory, as well as assistance with security and defence, participation in regional and international affairs and the decolonization process itself.

In this regard, the Mission states in its report that the population of Tokelau as a whole should be better informed of its options for self-determination, as well as their consequences. It recommends that Tokelau and New Zealand launch an education campaign and that they conduct a study of the various options and their consequences, under the auspices of and with the assistance of the United Nations.

The case of Tokelau shows the considerable value of decolonization programmes and their importance for a given Territory when they are carried out with the goodwill of all parties involved.

I ask for the support of the Assembly for the draft resolution in document A/57/L.52 on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, which I shall now introduce. Beforehand, I would like

to mention that the following countries have joined the list of sponsors: Côte d'Ivoire and Fiji.

The text of the draft you have before you is nearly analogous to the resolution adopted by the General Assembly at its last session. It recalls the proclamation of the Second International Decade for the Eradication of Colonialism, and reaffirms that colonialism is incompatible with the United Nations Charter, the Universal Declaration of Human Rights and the Declaration on Decolonization of 1960. It also reaffirms the determination of the General Assembly to eliminate colonialism quickly and completely from the history of humankind.

The General Assembly declares, once again, that it supports the aspirations of people subjected to colonial domination who wish to assert their right to self-determination, including independence, pursuant to United Nations resolutions on decolonization.

The draft resolution asks the administering Powers to complete before the end of 2003 the preparation of constructive work programmes suitable to each Non-Self-Governing Territory, in order to facilitate the implementation of the mandate of the Special Committee, and the implementation of the relevant decolonization resolutions, especially those bearing on certain specific Territories.

In this regard, wording has been added in paragraph 7, new wording compared to previous texts. It welcomes the consultations between the Special Committee and the representatives of the New Zealand Government and the people of Tokelau with a view to advancing a programme of work on the question of Tokelau. It also welcomes the report of the United Nations Mission that I mentioned a moment ago.

Subject to some minor editorial changes, paragraph 8 contains, as before, provisions on the work programme of the Special Committee. The Special Committee is asked to find specific ways to put an end to colonialism and to continue to monitor the manner in which Member States are implementing resolutions that the General Assembly has adopted in this regard; to continue to study the political, economic and social situation of Non-Self-Governing Territories; to conclude before the end of 2003 the preparation of a work programme in each and every case of a Non-Self-Governing Territory; and to continue to send visiting missions, organize seminars, mobilize support throughout the world for decolonization and finally, to commemorate every year a Week of Solidarity with the peoples of Non-Self-Governing Territories.

The draft resolution also contains paragraphs devoted specifically to economic activities, the exploitation of natural resources and military activities and arrangements within the Territories. The General Assembly urges Member States and specialized agencies to lend moral and material assistance to the people of these territories and requests that administering Powers make effective use of bilateral and multilateral assistance in the strengthening of the economies of those Territories. The text reaffirms the effectiveness of visiting missions to the Territories and asks the administering Powers to facilitate them. Those who have not officially taken part in the work of the Committee should do so at its 2003 session.

In conclusion, the Secretary-General, specialized agencies and other organizations of the United Nations system are asked to provide assistance to Non-Self Governing Territories, especially in the economic and social sphere, and that they continue to do so as appropriate after these Territories have exercised their right of self-determination, including independence.

The text before the Committee is the culmination of consultations held by interested delegations in the spirit of accommodation and consensus. Therefore I urge delegations in the General Assembly to consider favourably the recommendations submitted to them by the Special Committee. This will enable it to continue its mission, which is to promote the rights and interests of the peoples of Non-Self-Governing Territories.

This Special Committee is determined to have a decisive influence on the assistance given to peoples of Non-Self Governing Territories so that they may be able to exercise their right to self-determination, pursuant to the resolutions of this Assembly. But the Committee cannot do so if we confine ourselves to adopting, year after year, the same resolutions without action. The Committee must carry out its mission and play an active role in decolonization by creating special work programmes and other diverse activities. It is absolutely necessary that administering Powers work along with it, in a constructive and transparent manner, in an attempt to achieve this noble objective. It is also absolutely necessary that the representatives of these Territories take part in these activities at every stage.

Next year will be decisive for the actions undertaken by the Special Committee on

Decolonization. Not only do we hope that our dialogue, which has just began with New Zealand on Tokelau, will continue, but we also hope to get into a relationship at the beginning of 2003 with other administering Powers, especially the United States and the United Kingdom, in order to draw up a work programme for each Territory. If we all wish to put an end to such a complex process as decolonization, all the parties involved must show special sincerity in the effort.

Before concluding, on behalf of the Chairman of the Special Committee, may I thank the Secretary-General, Mr. Kofi Annan, for the efficiency with which the Secretariat has provided us with intellectual and technical support throughout the session. The Chairman has also asked me to express his gratitude to the bureau of the Special Committee for the cooperation and support it gave him during the session. He has also instructed me to commend the effectiveness of the Secretariat staff dealing with decolonization.

The Acting President: I would like to inform members that the General Assembly will take action on the draft resolutions under agenda item 19 after all the reports of the Special Political and Decolonization Committee (Fourth Committee) have been considered.

Reports of the Special Political and Decolonization Committee (Fourth Committee)

The Acting President: The General Assembly will consider the reports of the Special Political and Decolonization Committee on agenda items 74 to 80, 81 and 19, 82 and 12, and 83, as well as 19. I request the Rapporteur of the Committee, Mr. Andrej Droba of Slovakia, to introduce in one intervention the reports of the Special Political and Decolonization Committee.

Mr. Droba (Slovakia), Rapporteur of the Special Political and Decolonization Committee (Fourth Committee): It is a privilege and a great personal honour for me to introduce to the General Assembly the reports of the Special Political and Decolonization Committee (Fourth Committee), submitted under agenda items 74 to 83, as well as items 12 and 19. These reports, contained in documents A/57/518 to A/57/528, include the texts of draft resolutions and decisions recommended to the General Assembly for adoption. For the convenience of delegations, a checklist prepared by the Secretariat for voting in the Special Political and Decolonization Committee is contained in A/C.4/57/INF/3.

During this first part of the fifty-seventh session of the General Assembly, the Fourth Committee held a total of 23 formal meetings. The Committee continued its practice of having an informal interactive meeting under agenda item 78, "Comprehensive review of the whole question of peacekeeping operations in all their aspects". An open-ended working group established by the Committee under item 75, "International cooperation in the peaceful uses of outer space", also held a number of informal meetings.

At this stage of its work, the Special Political and Decolonization Committee adopted 24 draft resolutions and 3 draft decisions, of which 11 draft resolutions and 3 draft decisions were adopted without a vote.

The first report, submitted under agenda item 74, "Effects of atomic radiation", is contained in document A/57/518. The Fourth Committee considered the report of the United Nations Scientific Committee on the Effects of Atomic Radiation (UNSCEAR), as contained in document A/57/46. The draft resolution submitted under this agenda item is contained in paragraph 8 of the Committee's report.

In the draft resolution, the General Assembly would, among other things, request UNSCEAR to submit its programme of work, as well as to report to the General Assembly on its work on ionizing radiation. The United Nations Environment Programme is urged to review and strengthen the present funding of UNSCEAR, so that it can discharge the responsibility and mandate entrusted to it. On behalf of the Fourth Committee, I recommend that this draft resolution be adopted by the General Assembly.

The second report, submitted under agenda item 75, "International cooperation in the peaceful uses of outer space", is contained in document A/57/519. During its consideration of the item, the Fourth Committee held a number of informal meetings of an open-ended working group, chaired by the delegation of Chile. The working group formulated the draft resolution contained in paragraph 10 of the report.

In the draft resolution, the General Assembly would, among other things, endorse the work programmes of the Committee on the Peaceful Uses of Outer Space and of its Scientific and Technical Subcommittee and Legal Subcommittee. The Assembly

would also agree that its 2004 review and appraisal of implementation of the recommendations of the 1999 Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III) should be conducted in plenary meetings under a separate agenda item entitled, "Review of the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space". The General Assembly would also decide to accept, on an exceptional basis, Algeria's membership in the Committee on the Peaceful Uses of Outer Space. On behalf of the Fourth Committee, I recommend this draft resolution to the General Assembly for adoption.

The third report, submitted under agenda item 76, "United Nations Relief and Works Agency for Palestine Refugees in the Near East", is contained in document A/57/520. The Fourth Committee considered the report of the Commissioner-General of the United Nations Relief and Works Agency for Palestine Refugees in the Near East, contained in document A/57/13, as well as the report of the Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), contained in document A/57/462, and other relevant reports by the Secretary-General. Under this item, the Committee adopted seven draft resolutions related to various aspects of the work of the United Nations Relief and Works Agency for Palestine Refugees in the Near East. Their adoption would ensure the continuation of the important work of UNRWA in alleviating the sufferings of the Palestine refugees. These draft resolutions are contained in paragraph 23 of the report. The Fourth Committee recommends the adoption of these draft resolutions to the General Assembly.

The fourth report, submitted under agenda item 77, "Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories", is contained in document A/57/521. The Fourth Committee considered the report of the Special Committee concerning the protection and promotion of the human rights of the Palestinian people and other Arab inhabitants of the occupied territories, as well as other reports by the Secretary-General submitted under this item. Throughout the debate on this item, the activities of the Special Committee were widely supported and appreciated by many States. Meanwhile, some delegations also expressed concern about the nature of the activities of the Special Committee. Under this item, the Fourth Committee adopted five draft resolutions, which can be found in paragraph 24 of its report. The Fourth Committee recommends these draft resolutions to the General Assembly for adoption.

The fifth report, relating to agenda item 78, "Comprehensive review of the whole question of peacekeeping operations in all their aspects", is contained in document A/57/522. The Fourth Committee heard a comprehensive introductory statement by the Under-Secretary-General for Peacekeeping Operations, Mr. Jean-Marie Guéhenno and held a general debate under this item. It also held informal interactive discussions with the Under-Secretary-General and other senior officials of the Department of Peacekeeping Operations. Many of the issues raised during the general debate and the interactive discussions will be further considered by the Special Committee on Peacekeeping Operations in its coming session early next year. One draft resolution was submitted under this item, as contained in paragraph 9 of the report. In the draft resolution, the General Assembly would designate 29 May as the International Day of United Nations Peacekeepers. The Fourth Committee recommends this draft resolution to the General Assembly for adoption.

The sixth report, submitted under agenda item 79, "Questions relating to information", is contained in document A/57/523. The Fourth Committee considered the report submitted by the Committee on Information, contained in document A/57/21, and the report of the Secretary-General (A/57/157). The Under-Secretary-General for Communications and Public Information, Mr. Shashi Tharoor, made a comprehensive introductory statement and responded to questions raised by delegations during the general debate on the ongoing and fundamental reorientation of the focus and structure of the Department of Public Information. The Fourth Committee adopted, without a vote, two draft resolutions and one draft decision, which are contained in paragraphs 9 and 10 of the Committee's report.

In draft resolution A, the Assembly would be asked, inter alia, to enhance regional efforts and cooperation among developing countries, as well as cooperation between developed and developing countries; to strengthen communication capacities; and to improve the media infrastructure and communication

technology in the developing countries, especially in the areas of training and dissemination of information.

In draft resolution B, the Assembly would, among other things, ask the Department of Public Information to maintain and improve its activities, through its reorientation, in the areas of special interest to developing countries and other countries with special needs, including countries in transition. The draft decision would also appoint Saudi Arabia to be the 99th member of the Committee on Information.

The Special Political and Decolonization Committee thus recommends that the General Assembly adopt both draft resolutions and the draft decision.

With regard to the cluster of items on Non-Self-Governing Territories and the Declaration on the Granting of Independence to Colonial Countries and Peoples, which includes agenda items 80, 81, 82, 83, 12 and 19, the Fourth Committee considered these items together. The Committee had one single general debate on the cluster of items and heard three representatives and 16 petitioners from various Non-Self-Governing Territories. Under those items, the General Assembly has before it five reports.

The report submitted under agenda item 80, "Information from Non-Self-Governing Territories transmitted under Article 73 e of the Charter of the United Nations", is contained in document A/57/524. The draft resolution submitted under this item appears in paragraph seven of the report. The Fourth Committee recommends it to the General Assembly for adoption.

The report relating to agenda items 81 and 19, "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories" and "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples", is contained in document A/57/525. Under these two items, the Fourth Committee adopted one draft resolution entitled "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories" and one draft decision entitled "Military activities and arrangements by colonial Powers in Territories under their administration". They are contained in paragraphs 9 and 10 of the report, respectively. The Fourth Committee recommends this draft resolution and the draft decision to the General Assembly for adoption.

The report relating to agenda item 82, "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations" and item 12, "Report of the Economic and Social Council", is contained in document A/57/526. In paragraph 7 of the report, the Fourth Committee recommends one draft resolution to the General Assembly for adoption.

The report relating to agenda item 83, "Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories", is contained in document A/57/527. Under this item, the Fourth Committee recommends one draft resolution, which is contained in paragraph six of the report, for adoption by the General Assembly.

The report submitted under agenda item 19, "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples", is contained in document A/57/528, which contains the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to specific Territories not covered by other agenda items.

In this context, the Fourth Committee adopted four draft resolutions and one draft decision. The draft resolutions on the "Question of Western Sahara", "Question of New Caledonia", "Question of Tokelau", the consolidated omnibus draft resolution concerning the eleven territories, as well as the draft decision on the "Question of Gibraltar", were all adopted without a vote by the Fourth Committee. The four draft resolutions are contained in paragraph 25 of the report and the draft decision is contained in paragraph 26. The Fourth Committee recommends that the General Assembly adopt these draft resolutions and the draft decision.

Before concluding, I should like to stress the high level of cooperation prevailing in the Special Political and Decolonization Committee. This enabled it to fulfil the mandate entrusted to it by the Assembly and to complete its work effectively and constructively despite time constraints occasioned by the changes in its work schedule.

I should also like to express, on behalf of the Bureau of the Fourth Committee, our profound appreciation to those delegations that coordinated the

drafting of the resolutions adopted by the Committee. I should also like to thank all delegations that participated in our efforts to reach consensus on many draft resolutions and decisions.

I should like to pay particular tribute here to the Chairman of the Fourth Committee, Mr. Graham Maitland of South Africa, whose knowledge and experience in multilateral forums, enhanced by his consummate diplomatic skills, enabled the Committee to consider in depth all the agenda items allocated to it by the General Assembly. This was particularly important given the wide-ranging and often difficult issues assigned to this Committee. The Vice-Chairpersons — Ambassador Margaret Hughes Ferrari of Saint Vincent and the Grenadines, Ms. Debra Price of Canada and Mr. Mansour Ayyad Al-Otaibi of Kuwait — with whom I had the pleasure of working, also contributed to the successful conclusion of the work of the Committee.

I should also like to place on record our appreciation for the able and efficient cooperation provided by Ms. Lesley Wilkinson, the Secretary of the Committee, and her very competent team from the Secretariat. It is through their efforts that the work of the Committee always proceeded smoothly and in an atmosphere of genuine cordiality and efficiency. We are indeed grateful to them for ensuring that we completed our work successfully.

I now have the honour to submit to the General Assembly for its consideration and adoption the recommendations of the Special Political and Decolonization Committee, contained in the reports contained in documents A/57/518 to A/57/528.

The Acting President: If there is no proposal under rule 66 of the rules of procedure, I shall take it that the General Assembly decides not to discuss the reports of the Special Political and Decolonization Committee which are before it today.

It was so decided.

The Acting President: Statements will therefore be limited to explanations of vote. The positions of delegations regarding the recommendations of the Special Political and Decolonization Committee have been made clear in the Committee and are reflected in the relevant official records.

May I remind members that, under paragraph 7 of decision 34/401, the General Assembly agreed that

> "When the same draft resolution is considered in a Main Committee and in plenary meeting, a delegation should, as far as possible, explain its vote only once, that is, either in the Committee or in plenary meeting unless that delegation's vote in plenary meeting is different from its vote in the Committee."

May I also remind delegations that, in accordance with General Assembly decision 34/401, explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Before we begin to take action on the recommendations contained in the reports of the Special Political and Decolonization Committee, I should like to advise representatives that we are going to proceed to take decisions in the same manner as was done in the Committee, unless the Secretariat is notified to the contrary in advance. This means that, where recorded votes were taken, we will do the same. I should also hope that we will proceed to adopt without a vote those recommendations that were adopted without a vote in the Special Political and Decolonization Committee.

Agenda item 74

Effects of atomic radiation

> **Report of the Special Political and Decolonization Committee (Fourth Committee) (A/57/518)**

The Acting President: The Assembly will now take a decision on the draft resolution recommended by the Special Political and Decolonization Committee in paragraph 8 of its report.

The Special Political and Decolonization Committee adopted the draft resolution without a vote. May I take it that the General Assembly wishes to do the same?

> *The draft resolution was adopted* (resolution 57/115).

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 74?

It was so decided.

Agenda item 75

International cooperation in the peaceful uses of outer space

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/57/519)

The Acting President: The Assembly will now take a decision on the draft resolution recommended by the Special Political and Decolonization Committee in paragraph 11 of its report.

The Special Political and Decolonization Committee adopted the draft resolution without a vote. May I take it that the General Assembly wishes to do likewise?

The draft resolution was adopted (resolution 57/116).

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 75?

It was so decided.

Agenda item 76

United Nations Relief and Works Agency for Palestine Refugees in the Near East

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/57/520)

The Acting President: I call on the representative of Papua New Guinea for an explanation of vote.

Mr. Ovia (Papua New Guinea): As everyone in this Assembly is well aware, Papua New Guinea's policy on the inalienable rights of all peoples to self-determination, including those of the Palestinian people, remains firm and unwavering. However, we also believe that this inalienable right must be exercised through peaceful means and without any duress and violence.

For the Middle East region, we believe that the two States of Israel and Palestine have a right to exist as sovereign States side by side and within secured borders. The statement of Papua New Guinea's Foreign Minister, Sir Rabbie Namaliu, to the General Assembly during the general debate this year further reaffirmed that position.

The current state of violence on both sides of the Middle East conflict cannot and must not be condoned by the international community, including Papua New Guinea. We condemn the violent methods employed by some amongst the Palestinian population to achieve these aims. We appeal to them to cease these methods and to take the peaceful route of dialogue and negotiations. At the same time, we call for fair treatment of innocent Palestinian people by the Israeli army in its attempts to catch those individuals, organizations and leaders responsible for the violence.

The delegation of Papua New Guinea has in recent times further observed that many resolutions on Palestine and the Middle East question are not fair and balanced. They condemn Israel for taking action to protect its citizens and bring to justice those responsible for taking the lives of innocent people, including children. At the same time, the resolutions say little or nothing about Palestinian suicide bombing and other methods used to try to send a message and/or achieve the intended goal of freedom.

Papua New Guinea, like others in our subregion, believes that dialogue and negotiations with our rivals and even those who do not necessarily agree with us are always the best way forward. We believe therefore that peace and harmony will come to the Middle East region by very hard and constructive discussions and decisions. We call on both Israel and the Palestinian authorities to come to the negotiating table to discuss their differences and the difficult questions.

Papua New Guinea will therefore vote in favour of most of the draft resolutions, but abstain in the voting on others.

The Acting President: The Assembly will now take a decision on the seven draft resolutions recommended by the Special Political and Decolonization Committee in paragraph 23 of its report (A/57/520).

After all the votes have been taken, representatives will again have the opportunity to explain their vote.

We turn first to draft resolution I, entitled "Assistance to Palestine refugees".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:

Israel

Abstaining:

Honduras, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Draft resolution I was adopted by 158 votes to 1, with 5 abstentions (resolution 57/117).

[*Subsequently the delegation of Nepal informed the Secretariat that it had intended to vote in favour.*]

The Acting President: Draft resolution II is entitled "Working Group on the Financing of the United Nations Relief and Works Agency for Palestine Refugees in the Near East".

The Special Political and Decolonization Committee adopted draft resolution II without a vote.

May I take it that the Assembly wishes to do the same?

Draft resolution II was adopted (resolution 57/118)

The Acting President: Draft resolution III is entitled "Persons displaced as a result of the June 1967 and subsequent hostilities".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein,

Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining:

Nauru, Papua New Guinea, Solomon Islands

Draft resolution III was adopted by 155 votes to 5, with 3 abstentions (resolution 57/119).

[*Subsequently the delegation of Nepal informed the Secretariat that it had intended to vote in favour.*]

The Acting President: Draft resolution IV is entitled "Offers by Member States of grants and scholarships for higher education, including vocational training, for Palestine refugees".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Palau, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:

None

Abstaining:

Israel

Draft resolution IV was adopted by 164 votes to none, with 1 abstention (resolution 57/120).

[*Subsequently the delegation of Nepal informed the Secretariat that it had intended to vote in favour.*]

The Acting President: Draft resolution V is entitled "Operations of the United Nations Relief and

Works Agency for Palestine Refugees in the Near East".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining:

Nauru, Papua New Guinea, Solomon Islands, Vanuatu

Draft resolution V was adopted by 155 votes to 5, with 4 abstentions (resolution 57/121).

[*Subsequently the delegations of Nepal and Pakistan informed the Secretariat that they had intended to vote in favour.*]

The Acting President: We now turn to draft resolution VI, entitled "Palestine refugees' properties and their revenues".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino,

Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining:

Nauru, Solomon Islands

Draft resolution VI was adopted by 159 votes to 5, with 2 abstentions (resolution 57/122).

[*Subsequently the delegation of Nepal informed the Secretariat that it had intended to vote in favour.*]

The Acting President: Draft resolution VII is entitled "University of Jerusalem 'Al Quds' for Palestine refugees".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Palau, United States of America

Abstaining:

Nauru, Papua New Guinea, Solomon Islands, Vanuatu

Draft resolution VII was adopted by 155 votes to 5, with 4 abstentions (resolution 57/123).

[*Subsequently the delegation of Nepal informed the Secretariat that it had intended to vote in favour.*]

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 76.

Agenda item 77

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/57/521)

The Acting President: The Assembly has before it five draft resolutions recommended by the Special

Political and Decolonization Committee in paragraph 24 of its report.

We turn first to draft resolution I, entitled "Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Angola, Antigua and Barbuda, Armenia, Azerbaijan, Bahrain, Bangladesh, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Chad, Chile, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Ghana, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nigeria, Oman, Pakistan, Panama, Philippines, Qatar, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining:

Albania, Andorra, Argentina, Australia, Austria, Bahamas, Barbados, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Czech Republic, Denmark, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Jamaica, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Papua New Guinea, Paraguay, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Vincent and the Grenadines, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Tonga, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Vanuatu, Yugoslavia

Draft resolution I was adopted by 86 votes to 6, with 66 abstentions (resolution 57/124).

[*Subsequently the delegation of Nepal informed the Secretariat that it had intended to vote in favour.*]

The Acting President: Draft resolution II is entitled "Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem and the other occupied Arab territories".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands,

New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining:

Papua New Guinea, Solomon Islands, Vanuatu

Draft resolution II was adopted by 155 votes to 6, with 3 abstentions (resolution 57/125).

[*Subsequently the delegation of Nepal informed the Secretariat that it had intended to vote in favour.*]

The Acting President: Draft resolution III is entitled "Israeli settlements in the Occupied Palestinian Territory, including East Jerusalem and the occupied Syrian Golan".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining:

Papua New Guinea, Solomon Islands, Vanuatu

Draft resolution III was adopted by 154 votes to 6, with 3 abstentions (resolution 57/126).

[*Subsequently the delegation of Nepal informed the Secretariat that it had intended to vote in favour.*]

The Acting President: Draft resolution IV is entitled "Israeli practices affecting the human rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, Micronesia (Federated States of), Nauru, Palau, United States of America

Abstaining:

Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu

Draft resolution IV was adopted by 148 votes to 6, with 6 abstentions (resolution 57/127).

[*Subsequently the delegation of Nepal informed the Secretariat that it had intended to vote in favour.*]

The Acting President: Draft resolution V is entitled "The occupied Syrian Golan".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:
Israel

Abstaining:
Marshall Islands, Micronesia (Federated States of), Nauru, Palau, Solomon Islands, Tonga, Tuvalu, United States of America, Vanuatu

Draft resolution V was adopted by 155 votes to 1, with 9 abstentions (resolution 57/128).

[*Subsequently the delegations of Nepal and Pakistan informed the Secretariat that they had intended to vote in favour.*]

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 77?

It was so decided.

Agenda item 78

Comprehensive review of the whole question of peacekeeping operations in all their aspects

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/57/522)

The Acting President: The Assembly will now take a decision on the draft resolution recommended by the Special Political and Decolonization Committee in paragraph 9 of its report.

The draft resolution is entitled "International Day of United Nations Peacekeepers". The Special Political and Decolonization Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 57/129).

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 78.

Agenda item 79

Questions relating to information

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/57/523)

The Acting President: The Assembly will now take a decision on the two draft resolutions recommended by the Special Political and Decolonization Committee in paragraph 9 of its report and the draft decision recommended by the Committee in paragraph 10 of the same report.

Draft resolution A is entitled "Information in the service of humanity".

The Special Political and Decolonization Committee adopted draft resolution A without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution A was adopted (resolution 57/130 A).

The Acting President: Draft resolution B is entitled "United Nations public information policies and activities".

The Special Political and Decolonization Committee adopted draft resolution B without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution B was adopted (resolution 57/130 B).

The Acting President: The draft decision is entitled "Increase in the membership of the Committee on Information".

The Special Political and Decolonization Committee adopted the draft decision without a vote. May I take it that it is the wish of the General Assembly to do the same?

The draft decision was adopted (decision 57/412).

The Acting President: The General Assembly has thus concluded this stage of its consideration of agenda item 79.

Agenda item 80

Information from the Non-Self-Governing Territories transmitted under Article 73 *e* of the Charter of the United Nations

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/57/524)

The Acting President: The Assembly will now take a decision on the draft resolution recommended by the Special Political and Decolonization Committee in paragraph 7 of its report.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:

None

Abstaining:

France, Israel, Marshall Islands, Micronesia (Federated States of), Monaco, Palau, United Kingdom of Great Britain and Northern Ireland, United States of America

The draft resolution was adopted by 156 votes to none, with 8 abstentions (resolution 57/131).

[*Subsequently the delegation of Nepal informed the Secretariat that it had intended to vote in favour.*]

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 80?

It was so decided.

Agenda item 81 and agenda item 19 (*continued*)

Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/57/525)

The Acting President: The Assembly will take a decision on the draft resolution recommended by the Special Political and Decolonization Committee in paragraph 9 of its report and on the draft decision recommended by the Committee in paragraph 10 of the same report.

We turn first to the draft resolution, entitled "Economic and other activities which affect the interests of the peoples of the Non-Self-Governing Territories".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana,

Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Netherlands, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:

Israel, Marshall Islands, United States of America

Abstaining:

France, Micronesia (Federated States of), United Kingdom of Great Britain and Northern Ireland

The draft resolution was adopted by 156 votes to 3, with 3 abstentions (resolution 57/132).

[*Subsequently the delegation of Nepal informed the Secretariat that it had intended to vote in favour.*]

The Acting President: We now turn to the draft decision, entitled "Military activities and arrangements by colonial Powers in Territories under their administration".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Cyprus, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

Albania, Andorra, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Palau, Poland, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia

Abstaining:

Tonga

The draft decision was adopted by 106 votes to 53, with 1 abstention (decision 57/525).

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 81?

It was so decided.

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 19.

Agenda item 82 and agenda item 12 (*continued*)

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations

Report of the Economic and Social Council

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/57/526)

The Acting President: The Assembly will now take a decision on the draft resolution recommended by the Special Political and Decolonization Committee in paragraph 7 of its report.

The draft resolution is entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples by the specialized agencies and the international institutions associated with the United Nations".

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Fiji, Ghana, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nauru, New Zealand, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Singapore, Solomon Islands, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Tonga, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe

Against:

None

Abstaining:

Albania, Andorra, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Marshall Islands, Micronesia (Federated States of), Monaco, Netherlands, Norway, Poland, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia

The draft resolution was adopted by 111 votes to none, with 51 abstentions (resolution 57/133).

[*Subsequently the delegation of Nepal informed the Secretariat that it had intended to vote in favour.*]

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 82?

It was so decided.

The Acting President: The Assembly has concluded this stage of its consideration of agenda item 12.

Agenda item 83

Offers by Member States of study and training facilities for inhabitants of Non-Self-Governing Territories

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/57/527)

The Acting President: The Assembly will now take a decision on the draft resolution recommended by the Special Political and Decolonization Committee in paragraph 6 of its report.

The Special Political and Decolonization Committee adopted the draft resolution without a vote. May I take it that the Assembly wishes to do the same?

The draft resolution was adopted (resolution 57/134).

The Acting President: May I take it that it is the wish of the General Assembly to conclude its consideration of agenda item 83?

It was so decided.

Agenda item 19 (*continued*)

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Report of the Special Political and Decolonization Committee (Fourth Committee) (A/57/528)

The Acting President: I give the floor to the representative of Argentina who wishes to speak in explanation of position before action is taken on the draft resolutions recommended by the Special Political and Decolonization Committee in paragraph 25 of its report.

Mr. Estremé (Argentina) (*spoke in Spanish*): I would like to explain the position of the Argentine delegation on draft resolution IV, contained in document A/57/528, with regard to the questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, Saint Helena, the Turks and Caicos Islands and the United States Virgin Islands.

With regard to paragraph 3 of the general part of the draft resolution, the Argentine Government wishes to recall its full support, in accordance with General Assembly resolutions 1514 (XV) and 2625 (XXV), for the right to self-determination of peoples that continue to be subjected to colonial domination and foreign occupation.

At the same time, my delegation wishes to recall that, in the particular colonial situation presented by the question of the Malvinas Islands, the principle of territorial integrity applies in order to prevent any attempt to disrupt the national unity and the territorial integrity of the Argentine Republic, in conformity with resolutions 1514 (XV) and 2625 (XXV) and with the subsequent resolutions of the Assembly and of the Special Committee on decolonization on that question. Accordingly, the Argentine Republic reaffirms its rights of sovereignty over the Malvinas, South Georgia and South Sandwich Islands and the surrounding maritime areas, which are part of its national territory.

Likewise, the Argentine Government reiterates its rejection of the White Paper entitled "Partnership for Peace and Prosperity: Britain and the Overseas Territories", which is mentioned in draft resolution IV and is annexed to document A/AC.109/1999/1 and Corr.1, in the same terms as those of its letters of 29 October 2001 (A/56/515) and of 8 October 2002 (A/57/461).

The Acting President: The Assembly will now take a decision on the four draft resolutions recommended by the Special Political and Decolonization Committee in paragraph 25 of its report and on the draft decision recommended by the Committee in paragraph 26 of the same report.

Draft resolution I is entitled "Question of Western Sahara".

The Special Political and Decolonization Committee adopted draft resolution I without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution I was adopted (resolution 57/135).

The Acting President: Draft resolution II is entitled "Question of New Caledonia".

The Special Political and Decolonization Committee adopted draft resolution II without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution II was adopted (resolution 57/136).

The Acting President: Draft resolution III is entitled "Question of Tokelau".

The Special Political and Decolonization Committee adopted draft resolution III without a vote. May I take it that the Assembly wishes to do the same?

Draft resolution III was adopted (resolution 57/137).

The Acting President: Draft resolution IV is entitled "Questions of American Samoa, Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Guam, Montserrat, Pitcairn, St. Helena, the Turks and Caicos Islands and the United States Virgin Islands".

The Special Political and Decolonization Committee adopted draft resolution IV without a vote. May I take it that the Assembly wishes to do likewise?

Draft resolution IV was adopted (resolution 57/138).

The Acting President: The draft decision is entitled "Question of Gibraltar".

The Special Political and Decolonization Committee adopted the draft decision without a vote. May I take it that the Assembly wishes to do the same?

The draft decision was adopted (decision 57/526).

The Acting President: I call on the representative of the United Kingdom, who wishes to speak in exercise of the right of reply.

Mr. Harrison (United Kingdom): I am taking the floor to respond to the remarks made by the representative of Argentina on the sovereignty of the Falkland Islands. The United Kingdom's position on that issue is well known; it was last set out in detail by the representative of the United Kingdom in his statement in exercise of the right of reply to the statement made by the Foreign Minister of Argentina during the general debate, on 17 September this year (see A/57/PV.13). I should also like to refer to the United Kingdom's reply (A/56/777) to the Argentine letter of 29 October 2001. The United Kingdom will reply to the Argentine letter of 8 October 2002 in due course.

The Acting President: The Assembly has thus concluded this stage of its consideration of agenda item 19.

The Assembly has thus concluded its consideration of all the reports of the Special Political and Decolonization Committee (Fourth Committee) before it.

Agenda item 19 (*continued*)

Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Draft resolutions (A/57/23 (Part III), chapter XIII, section G, para. 7; A/57/L.52)

The Acting President: We shall now proceed to consider the draft resolution contained in Part III, chapter XIII, section G, paragraph 7, of document A/57/23 and draft resolution A/57/L.52.

I now call on the representative of the United States, who wishes to speak in explanation of vote before the voting. May I remind delegations that explanations of vote are limited to 10 minutes and should be made by delegations from their seats.

Mr. Marsh (United States of America): Unfortunately, the United States cannot support draft resolution A/57/L.52, on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. By adopting a narrow definition of decolonization, the draft resolution fails to take into account the complex reality of Non-Self-Governing Territories. For the United States, the very term "non-self-governing" seems inappropriate for those who can establish their own constitution, elect their own public officers, have representation in Washington and choose their own economic path. One of the territories under our administration, for example, held elections just last month.

In particular, the United States disagrees with the draft resolution's request for studies on the implications of each of the options of self-determination for the Non-Self-Governing Territories. We believe that United Nations funding would be better allocated elsewhere. The United States also disagrees with the draft resolution's contention that the

mere presence of military activities and bases in the Non-Self-Governing Territories is harmful to the rights and interests of the peoples of the territories. We do not support the notion that administering Powers do not have the right to take actions in accordance with their national security interests.

Furthermore, with regard to the draft resolution recommended in Part III, chapter XIII, section G of document A/57/23, on dissemination of information on decolonization, I should like to say that the United States finds that it burdens the Secretariat of the United Nations and its resources unreasonably.

The United States fully supports countries that choose independence, and we are proud to welcome them as equal and sovereign partners. Not all territories choose independence, however, and we equally support their right to a full measure of self-government, including the rights to integration and to free association. The world encompasses a variety of peoples, places and political circumstances.

That richness does not allow for just one path. The United States believes that a single standard should not be applied to every territory, and we call upon all Member States to respect the choices made by residents of Non-Self-Governing Territories.

The Acting President: We have heard the only speaker in explanation of vote before the voting.

The Assembly will now take a decision on the draft resolution entitled "Dissemination of information on decolonization", contained in Part III, chapter XIII, section G, paragraph 7 of the report of the Special Committee (A/57/23).

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:

Israel, Micronesia (Federated States of), United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

France, Netherlands

The draft resolution was adopted by 154 votes to 4, with 2 abstentions (resolution 57/139).

[*Subsequently the delegations of Jamaica and the Netherlands informed the Secretariat that they had intended to vote in favour.*]

The Acting President: The Assembly will now take a decision on draft resolution A/57/L.52, entitled "Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples".

Before proceeding to take action on the draft resolution, I should like to announce that since the introduction of draft resolution A/57/L.52, South Africa has become a sponsor of the draft resolution.

A recorded vote has been requested.

A recorded vote was taken.

In favour:

Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Ghana, Greece, Grenada, Guatemala, Guinea, Guyana, Haiti, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, New Zealand, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Qatar, Republic of Moldova, Russian Federation, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Tuvalu, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe

Against:

Micronesia (Federated States of), United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining:

Albania, Belgium, Bulgaria, Finland, France, Georgia, Germany, Hungary, Israel, Italy, Latvia, Lithuania, Monaco, Netherlands, Portugal, Republic of Korea, Romania, Slovenia, Turkey

Draft resolution A/57/L.52 was adopted by 139 votes to 3, with 19 abstentions (resolution 57/140).

The Acting President: Before giving the floor to speakers in explanation of vote on the resolutions just adopted, may I remind delegations that explanations of vote are limited to ten minutes and should be made by delegations from their seats.

Mr. Harrison (United Kingdom): I should like to explain the United Kingdom's votes on the resolutions on the dissemination of information on decolonization and on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. As Members will have seen, the United Kingdom voted against both those resolutions.

With regard to the resolution on the dissemination of information on decolonization, the United Kingdom remains of the view that the obligation that this text places on the Secretariat to publicize decolonization issues represents an unwarranted drain on the scarce resources of the United Nations. The resolution is therefore unacceptable to the United Kingdom.

The United Kingdom continues to find some elements of the text of the resolution on the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to be unacceptable. Those elements include, but are not limited to, paragraph 12, which calls on the Administering Powers to eliminate the remaining military bases in the Non-Self-Governing Territories. This language is drawn from decision 57/525, on military activities, which we also voted against this year.

Despite our negative votes on those resolutions, the United Kingdom delegation remains sincerely committed to furthering the process of informal dialogue with the Special Committee of 24 over the coming year.

The Acting President: We have heard the only speaker in explanation of vote.

The General Assembly has thus concluded this stage of its consideration of agenda item 19.

The meeting rose at 12.15 p.m.